

AGENDA - COUNCIL MEETING - TUESDAY - JULY 25, 2006 - 1:30 P. M.
COUNCIL CHAMBER - SECOND FLOOR - CITY HALL
901 BAGBY - HOUSTON, TEXAS

PRAYER AND PLEDGE OF ALLEGIANCE - Council Member Clutterbuck

1:30 P. M. - ROLL CALL

ADOPT MINUTES OF PREVIOUS MEETING

2:00 P. M. - PUBLIC SPEAKERS - Pursuant to City Council Rule 8, City Council will hear from members of the public; the names and subject matters of persons who had requested to speak at the time of posting of this Agenda are attached; the names and subject matters of persons who subsequently request to speak may be obtained in the City Secretary's Office

5:00 P. M. - RECESS

RECONVENE

WEDNESDAY - JULY 26, 2006 - 9:00 A. M.

DESCRIPTIONS OR CAPTIONS OF AGENDA ITEMS WILL BE READ BY THE
CITY SECRETARY PRIOR TO COMMENCEMENT

HEARING - 9:00 A.M.

1. City Council will conduct a hearing regarding the Juvenile Curfew Ordinance (Ch. 28, Art. V, City of Houston Code of Ordinances) to determine whether the Curfew Ordinance should be modified. Copies of the Curfew Ordinance and data provided by the Houston Police Department are available for inspection in the Office of the City Secretary
To reserve time to appear and testify call the Office of the City Secretary (713) 247-1840 prior to the commencement of the hearing. Alternatively written comments may be submitted to the Office of the City Secretary.

MAYOR'S REPORT - General Obligation Bond Authorization

CONSENT AGENDA NUMBERS 2 through 46

MISCELLANEOUS - NUMBERS 2 through 4

2. REQUEST from Mayor for confirmation of the appointment of the following to the **BUILDING AND STANDARDS COMMISSION**:

PANEL D:

- Position 3 - **MS. MARCIA A. PERRY**, for a term to expire December 31, 2006
Position 4a - **MS. SUSANI N. H. CLAYTON**, for a term to expire December 31, 2007

3. REQUEST from Mayor for confirmation of the appointment or reappointment of the following to the **HOUSTON COMMISSION ON DISABILITIES**:

- Position One - **MS. PAM MACKIE**, appointment, for an unexpired term ending July 26, 2007
Position Two - **MS. ROBBIE MARIE ARRINGTON**, appointment, for a term to expire July 26, 2008
Position Four - **MS. SOPHEAK PEN**, appointment, for a term to expire July 26, 2008
Position Six - **MR. DAVID A. FOWLER**, reappointment, for a term to expire July 26, 2008
Position Seven - **MS. TERI WATHEN**, appointment, for a term to expire July 26, 2007
Position Eight - **MR. SCOTTY MACCLYMONDS**, appointment, for a term to expire July 26, 2008
Position Ten - **MS. E. VERNELL JESSIE**, reappointment, for a term to expire July 26, 2008
Position Twelve - **MS. EVE CUGINI**, appointment, for a term to expire July 26, 2008
Alternate Position Two - **DR. STANLEY J. ZIMMERMAN**, appointment, for a term to expire July 26, 2008
Alternate Position Four - **MR. DIEGO DEMAYA**, appointment, for a term to expire July 26, 2008

4. RECOMMENDATION from Director Department of Planning & Development for the designation of four residential parking permit areas and related parking regulations in the Super Neighborhoods of University Place, Neartown-Montrose, and Upper Kirby / Greenway Area and to amend Motion #2002-237 to extend parking regulations for an existing permit area - **DISTRICTS C - CLUTTERBUCK and D - EDWARDS**

ACCEPT WORK - NUMBERS 5 through 11

5. RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$326,351.41 and acceptance of work on contract with **COLUMBIA ENVIRONMENTAL SERVICES, INC** for Downtown Fire Station No. 8, Pavement Removal, Soil Remediation and Disposal, GFS C-0149-03-5 - 52.90% over the original contract amount - **DISTRICT I - ALVARADO**
6. RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$1,112,463.64 and acceptance of work on contract with **TEXAS LIQUA TECH SERVICES, INC** for Police Administration Building Repairs, GFS G-0072-08-3 - 03.76% over the original contract amount - **DISTRICT I - ALVARADO**
7. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,642,039.75 and acceptance of work on contract with **ACM CONTRACTORS, INC** for Neighborhood Street Reconstruction Project No. 432B, GFS N-0364-04-3 (SB9133) - 03.34% over the original contract amount - **DISTRICT D - EDWARDS**
8. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,331,729.07 and acceptance of work on contract with **ALLCO, INC** for Sanitary Sewer Rehabilitation by Point Repair Method, GFS R-0266-80-3 (4235-8) - 10.32% under the original contract amount

ACCEPT WORK - continued

9. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$912,142.26 and acceptance of work on contract with **RELIANCE CONSTRUCTION SERVICES, L.P.** for Water Line Replacement Project in Airport South Subdivision and Yale Street Bridge Crossing, GFS S-0035-A1-3 (WA10761) - 04.63% under the original contract amount - **DISTRICTS D - EDWARDS and H - GARCIA**
10. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,103,037.99 and acceptance of work on contract with **R. K. WHEATON, INC** for Construction of Water Line Replacement in Sunbeam Area, GFS S-0035-A9-3 (WA10769) - 04.45% under the original contract amount - **DISTRICT D - EDWARDS**
11. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$7,829,129.50 and acceptance of work on contract with **JALCO, INC** for Slipline of existing 42-inch water line with 36-inch HDPE from Holmes Road to Sims Bayou Pump Station, GFS S-0900-A8-3 (WA10448-10) - 04.19% under the original contract amount **DISTRICTS C - CLUTTERBUCK and D - EDWARDS**

PURCHASING AND TABULATION OF BIDS - NUMBERS 12 through 23

12. **REPUBLIC WASTE SERVICES OF TEXAS, LTD.** for Two Self-Contained Compactors for Houston Airport System - \$43,094.00 - Enterprise Fund
13. **TOMMIE VAUGHN MOTORS, INC** - \$175,488.00 and **PHILPOTT MOTORS, LTD. d.b.a. PHILPOTT FORD** - \$35,593.00 for Aircraft Rescue & Firefighting Vehicles for Houston Airport System - Enterprise Fund
14. **XEROX** for spending authority to lease a Wide-Format Scanner/Copier from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program for Building Services Department - \$55,256.40 - General Fund
15. **DUNCAN PARKING TECHNOLOGIES, INC** - \$305,000.00 and **POM INCORPORATED** \$95,000.00 for Parking Meter Parts for Convention & Entertainment Facilities Department General Fund
16. **FERRARA FIRE APPARATUS, INC** for Ladder Truck Repair Service for Fire Department \$58,932.50 - General Fund
17. **VARIAN, INC** for One Spectrometer from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program for Health & Human Services Department - \$85,995.00 - Grant Fund
18. **Q-STAR TECHNOLOGY, LLC** for Cameras for Parks & Recreation Department - \$54,435.00 Grant Fund
19. **CHOICEPOINT GOVERNMENT SERVICES, INC** for spending authority to purchase background retrieval database services from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program for Houston Police Department - \$144,000.00 - General Fund

PURCHASING AND TABULATION OF BIDS - continued

20. **ADOBE EQUIPMENT** for spending authority to Address Emergency Retrofit of Fuel Transport Vehicles for Department of Public Works & Engineering - \$236,500.00 - Fleet Management Fund
21. **OIL PATCH-BRAZOS VALLEY, INC** for spending authority to Address Emergency Purchase of Fuel Transportation Services for Various Departments - \$124,775.00 - Central Service Revolving Fund
22. **ADA RESOURCES, INC** for spending authority to Address Emergency Purchase of Texas Low Emission Diesel and Reformulated Unleaded Fuel for Various Departments - \$3,099,698.67 Central Service Revolving Fund
23. **MOTIVA ENTERPRISES LLC** for spending authority to Address Emergency Purchase of Texas Low Emission Diesel and Reformulated Unleaded Fuel for Various Departments - \$11,937,957.00 Central Service Revolving Fund

ORDINANCES - NUMBERS 24 through 46

24. ORDINANCE **AMENDING ARTICLE VII OF CHAPTER 33 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Historic Preservation
25. Omitted
26. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of (1) a portion of the street right-of-way of Hurley Street, from Shoreham Avenue East to its terminus, containing 4,012 square feet of land, more or less, Parcel SY5-059, vacating and abandoning said tract of land to Key West Interests, LLC, abutting owner, in consideration of said owner's dedication of Parcel VY5-013, a 5-foot utility easement containing 200 square feet of land, more or less, located on the plat of Shoreham Place Subdivision, Houston, Harris County, Texas, and payment of \$3,912.00, and (2) a portion of the street right-of-way of Hurley Street, from Shoreham Avenue East to its terminus, containing 4,012 square feet of land, more or less, Parcel SY5-062, vacating and abandoning said tract of land to Jose Raul Velazco, abutting owner, in consideration of said owner's dedication of Parcel VY5-014, a 5-foot utility easement containing 200 square feet of land, more or less, located on the plat of Shoreham Place Subdivision, Houston, Harris County, Texas, and payment of \$3,912.00, and other consideration to the City - **DISTRICT H - GARCIA**
27. ORDINANCE approving and authorizing Special Warranty Deed conveying to Southern Stone Properties, Inc., a parcel of land containing 7,403 square feet, more or less, being out of Lot 2, Block 3, Settegast Gardens Subdivision, Section 1, located in J. L. Stanley Survey, A-700, Harris County, Texas (excess North Wayside Drive right-of-way located at North Wayside Drive at Saint Louis, Parcel S85-052); and in consideration of Southern Stone Properties, Inc's., payment of \$13,254.00, and other consideration to the City - **DISTRICT B - JOHNSON**
28. ORDINANCE approving and authorizing Special Warranty Deed conveying to Southern Stone Properties, Inc., a parcel of land containing 15,807 square feet, more or less, being out of Lot 2 and Lot 4, Block 4, Settegast Gardens Addition Subdivision, located in J. L. Stanley Survey, A-700, Harris County, Texas (excess North Wayside Drive right-of-way located at North Wayside Drive at Howton Street, Parcel S85-074); and in consideration of Southern Stone Properties, Inc's., payment of \$25,000.00, and other consideration to the City - **DISTRICT B - JOHNSON**

ORDINANCES - continued

29. ORDINANCE repealing Ordinance Number 87-862, rescinding authority set out therein to sell a certain parcel to Frank J. Cade because bidder failed to consummate the purchase; declaring Parcel Number S84-072 to be surplus property, and approving authorizing the sale of said parcel by sealed bid sale, subject to the City's Billboard Restrictions, all easements, all public utilities, and the applicable covenants, conditions and restrictions - **DISTRICT D - EDWARDS**
30. ORDINANCE consenting to the addition of 5.3888 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 48**, for inclusion in its district
31. ORDINANCE consenting to the addition of 158.36 acres of land to **NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 12**, for inclusion in its district
32. ORDINANCE establishing the north and south sides of the 300 block of East 25th Street and the south side of the 400 block of East 25th Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas **DISTRICT H - GARCIA**
33. ORDINANCE establishing the north and south sides of the 4400 and 4500 blocks of Walker Street within the City of Houston as a special building line requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT I - ALVARADO**
34. ORDINANCE issuing permit to **CHRISTUS ST. JOSEPH'S HEALTH SYSTEM, A Texas Nonprofit corporation**, for using, occupying, operating, maintaining and repairing a transformer vault, an overpass over LaBranch Street and subterranean tunnels under LaBranch and Crawford Streets, a utility tunnel under Calhoun Avenue, column footings in Calhoun Avenue right-of-way, and a four-inch steam supply line and one and one-half inch condensate return line under Jackson Street; containing findings and prescribing the conditions and provisions under which said permit is issued - **DISTRICT I - ALVARADO**
35. ORDINANCE issuing permit to **VALERO TERMINALING AND DISTRIBUTION COMPANY** to own, acquire, construct, operate, maintain, improve, repair, and replace pipelines in certain portions of specified public street rights-of-way and prescribing the conditions and provisions under which said permit is issued - **DISTRICTS E - WISEMAN and I - ALVARADO**
36. ORDINANCE approving and authorizing contract between the City and the **U. S. DEPARTMENT OF HEALTH & HUMAN RESOURCES, CENTERS FOR DISEASE CONTROL AND PREVENTION** for Participation in a National Network for Laboratory Surveillance known as Pulsenet USA Public Health Laboratories
37. ORDINANCE approving and authorizing first amendment to contract between the City and **SCIENTIFIC TECHNOLOGIES CORPORATION** for additional Technological Modifications to the Houston-Harris County Immunizations Registry
38. ORDINANCE approving and authorizing interlocal agreement between the City of Houston and **HARRIS COUNTY** to receive and utilize funds from the Metropolitan Statistical Area Cities Readiness Initiative Grant - \$73,161.00 - Grant Fund
39. ORDINANCE approving and authorizing first amendment to contract between the City and **BAKER BOTTS L.L.P.** for Legal Services pertaining to Houston's SafeClear Program
40. ORDINANCE approving and authorizing contract between the City and **AMIGOS LIBRARY SERVICES** for Virtual Reference Services for the Houston Area Library System; providing a maximum contract amount - \$244,005.00 - Grant Fund

ORDINANCES - continued

41. ORDINANCE amending Ordinance Number 2001-849 to increase the maximum contract amount of contract between the City of Houston and **STATE OF TEXAS DEPARTMENT OF INFORMATION RESOURCES** for Telecommunications and Internet Services Citywide \$396,291.00 - Central Service Revolving Fund
42. ORDINANCE approving and authorizing grant agreement between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION** for the Impaired Driving Mobilization Selective Traffic Enforcement Program; declaring the City's eligibility for such grant; authorizing the Mayor to act as the City's representative in the application process; authorizing the Chief of the Houston Police Department to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program
43. ORDINANCE awarding contract to **HOUCHEN BINDERY LTD. AND DIVISIONS** for Bookbinding, Rebinding and Repair Services for the Library Department; providing a maximum contract amount 3 Years with two one-year options - \$311,606.25 - General Fund
44. ORDINANCE No. 2006-766, passed second reading July 12, 2006
ORDINANCE granting to **UNITED WASTE SERVICES, INC, a Texas corporation**, the right, privilege and franchise to collect, haul and transport Solid Waste and Industrial Waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions; and making certain findings related thereto - **THIRD AND FINAL READING**
45. ORDINANCE No. 2006-755, passed second reading July 12, 2006
ORDINANCE granting to **SURE DISPOSAL SERVICES, INC a Texas corporation**, the right, privilege and franchise to collect, haul and transport Solid Waste and Industrial Waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions; and making certain findings related thereto - **THIRD AND FINAL READING**
46. ORDINANCE No. 2006-756, passed second reading July 12, 2006
ORDINANCE granting to **QUICK SILVER HAULING, LLC, a Texas corporation**, the right, privilege and franchise to collect, haul and transport Solid Waste and Industrial Waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions; and making certain findings related thereto - **THIRD AND FINAL READING**

END OF CONSENT AGENDA

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

NON CONSENT AGENDA - NUMBERS 47 and 48

PROPERTY

47. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from C. Fred Meyer of Luel Partnership. Ltd. [M. C. Interests, L. C. (C. Fred Meyer and Ellen C. King, Managers), General Partner], for abandonment and sale of Meyer Park Boulevard, from Meyer Forest Drive to its cul-de-sac terminus, in exchange for the conveyance to the City of a sanitary sewer easement, all located in Reserve A2, Meyer Park South Replat, Parcels SY6-092 and DY6-037 - **TWO APPRAISERS and one ALTERNATE APPRAISER - DISTRICT C - CLUTTERBUCK**

NON CONSENT AGENDA - continued

PROPERTY - continued

48. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Paul J. Coselli, on behalf of Schumacher Co., Inc., (Paul J. Coselli, President) and Admiral Glass, (Les Craft, Chief Executive Officer), for abandonment and sale of a portion of Clay Avenue, from Hughes Street east to its terminus, located in the Swope addition, out of the Luke Moore League, A-51, Parcels SY6-093 and SY6-122 - **TWO APPRAISERS and one ALTERNATE APPRAISER - DISTRICT I - ALVARADO**

MATTERS HELD - NUMBERS 49 through 51

49. RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$1,587,255.00 and acceptance of work on contract with **STEWART BUILDERS, LTD.**, for Parks Master Plan - Bid Package No. 5 Settegast Park and Swiney Park, GFS F-504B-13-3 and F-0507-00-3 - 04.98% over the original contract amount - **DISTRICTS B - JOHNSON and H - GARCIA** - **TAGGED BY COUNCIL MEMBER GARCIA**

This was Item 2 on Agenda of July 12, 2006

50. ORDINANCE approving and authorizing Amendment No. 1 to Lease Agreement between the City of Houston and **TRAMMELL CROW COMPANY IAH INTERNATIONAL AIR CARGOCENTRE II, L.P.** for certain premises at George Bush Intercontinental Airport/Houston - Revenue - **DISTRICT B - JOHNSON** - **TAGGED BY COUNCIL MEMBER SEKULA-GIBBS**

This was Item 9 on Agenda of July 12, 2006

51. ORDINANCE approving and authorizing compromise and settlement agreement with **ADVENTURES IN BIRDS & PETS, INC** and **BETTY JEAN JORDAN** to settle a lawsuit and appropriating \$65,000.00 out of Water & Sewer System Consolidated Construction Fund No. 755, which lawsuit arose out of activities financed by the Fund

POSTPONED BY MOTION #2006-642, 7/12/06

This was Item 24 on Agenda of July 12, 2006

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Garcia first

ALL ORDINANCES ARE TO BE CONSIDERED ON AN EMERGENCY BASIS AND TO BE PASSED ON ONE READING UNLESS OTHERWISE NOTED, ARTICLE VII, SECTION 7, CITY CHARTER

NOTE - WHENEVER ANY AGENDA ITEM, WHETHER OR NOT ON THE CONSENT AGENDA, IS NOT READY FOR COUNCIL ACTION AT THE TIME IT IS REACHED ON THE AGENDA, THAT ITEM SHALL BE PLACED AT THE END OF THE AGENDA FOR ACTION BY COUNCIL WHEN ALL OTHER AGENDA ITEMS HAVE BEEN CONSIDERED

CITY COUNCIL RESERVES THE RIGHT TO TAKE UP AGENDA ITEMS OUT OF THE ORDER IN WHICH THEY ARE POSTED IN THIS AGENDA. ALSO, AN ITEM THAT HAS BEEN TAGGED UNDER CITY COUNCIL RULE 4 (HOUSTON CITY CODE §2-2) OR DELAYED TO ANOTHER DAY MAY BE NEVERTHELESS CONSIDERED LATER AT THE SAME CITY COUNCIL MEETING

COUNCIL CHAMBER – CITY HALL 2nd FLOOR – TUESDAY
JULY 25, 2006 – 2:00 P.M.

AGENDA

3MIN.	3MIN.	3MIN.
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NON-AGENDA

2MIN.	2MIN.	2MIN.
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MR. BILL WARE – 685 North Post Oak Lane – 77024 – 713-680-2500 – 610 Memorial Park Arboretum traffic noise

MRS. CAROL CAUL - 685 North Post Oak Lane – 77024 – 713-680-2500 – 610 Memorial Park Arboretum traffic noise

MR. STEPHEN A. HESTER, JR. – 7000 Regency Square, Ste. 160 – 77036 – 713-974-4621 – Housing for people with disabilities

3MIN.	3MIN.	3MIN.
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MS. MICHELLE HABERLAND – 18714 Flax Burton Close – Humble – TX – 77346 – 281-787-3391 – B. A. R. K.

MR/COACH R. J. BOBBY TAYLOR - 3107 Sumpter – 77026 – 202-FA 3-4511 – Behavior Coward Conspiracy Who’s Major Germany, William Stevenson? July 4, 1974, Korea Wentbrook Jackson

MR. TRENT WINTERS – 7967 W. Airport - 77071 – 832-882-7716 – Good Job, Elderly Home Repair Program

MR. WILLIAM (BEAL) REAGAN – 6230 Symare Avenue – Van Nuys - CA – 91401- no phone – White House

MR. JAMES LOPEZ, JR. – 6923 Avenue S – 77011 – 713-923-2865 – Request a sidewalk at 6901 Peavy St.

MS. TERRY THOMPSON – Post Office Box 1735 – 77251-1735 – 713-228-9727 – Recovery – Help Save the City

MS. LINDA MURRAY – 6207 Bending Oaks – 77050 – 281-449-5232 – Annexing our neighborhood and no City Services – Misusing taxes

MR. TONY JONES – 1950 Spendwick, Unit 318 – 77055 – 713-935-0011 – EMS Billing Department

MR. MANUEL EMILIO ACUNA – 5621 Cripple Brook – 77017 – 713-910-0682 - Cocaine with HPD Officer Jaime Escalanda

MR. LEE L. MERCER – 4928 Winnetka – 77021 – 713-741-9656 – Candidate for President of the United States

PRESIDENT JOSEPH CHARLES - Post Office Box 524373 - 77052-4373 - 832-453-6376 – Global, Court Conviction, Federal Case – City Government W/HPD, Death Penalty

MR. RANDALL KALLINEN – 1406 Castle Court – 77006 – 713-320-3785 – Curfew Ordinance

MR. TED WEISGAL 12014 Chimney Rock – 77035 – 281-546-6793 – 713-529-4414 - Curfew Ordinance

MR. ROBERT KIMBALL – 32918 Willenhall Ct. – Fulshear – TX 77441 – 281-533-9441 - Curfew Ordinance

REV. EMIT SQUARE – 5630 Lakefield Dr. – 77033 – 713-734-0116 – Teen Conference – August 26, 2006

MR. ED CROVO – 16440 Moon Rock Dr., No. 105 – 77058 – 281-486-5668 – Establishing shuttle services for the disabled

MR. LOUIE GARVEL – 2100 Tanglewilde, No. 109 – 77063 – no phone – Why 411 could not connect to 911

MR. RAY GARZA – 633 Woolworth – 77020 – 713-674-3409 – Alleys

Speaker List
Continued Page 2
July 25, 2006

3MIN.	3MIN.	3MIN.
MR. MARVIN HOLMES – 3311 McIlhenny St. – 77004 – 832-398-9223 – Complaint about a Council Member Carol Alvarado		
MS. MARY PRUITT – No address – No phone – I need a place to live – They kicked me out of Allen Parkway		
MS. LEATRICE WATSON – 3826 Ebbtide Dr. – 77045 – 713-413-4840 – Wireless phone – Activity in local park and new phone system		
MS. SHERI ALEX BUTLER – 2901 Fulton St., Unit 300 – 77009 – 713-224-6206 – Health and Housing		
MR. WILLIAM THOMAS – 4933 E. Ridge Creek Dr. – 77053 – 713-839-7000 – Trash pick-up in our community		
MR. HANS MARTICIUC – 1600 State St. – 77007 – 281-924-3001 – HPD Union Survey		
MS. BESSIE SWINDLE – 4103 Madden Lane – 77047 – 713-208-0359 – Parks and Recreation replace stop sign		
MR. TERRY NELSON – 1820 Longcreek – Grandbury – TX – 76049 – 817-573-6927 – Public Safety		
MR. JUAN ACOSTA – 19634 Moodhollow – 77084 – 281-657-5133 – College credits for HPD Office		

PREVIOUS

1MIN.	1MIN.	1 MIN.
MR. SAMMY JONES – 1415 W. Gulfbank, No. 211 – 77088 – no phone – Follow up		
SENATOR ROBERT HORTON – 3714 Bain – 77026 – 713-260-6144 – All Embassy’s are guilty – I don’t appreciate officers threatening me		

CANCEL – 7/21/06

MS. MARGARET GONDO – 209 Vincent – 77009 – 713-743-1924 – B. A. R. K.

CITY OF HOUSTON

INTER OFFICE CORRESPONDENCE

JUL 26 2006
JUL 12 2006

TO: Marty Stein, Agenda Director
Office of the Mayor

FROM: M. W. Thaler, Executive Assistant Chief
Police Department

DATE: March 29, 2006

SUBJECT: **Juvenile Crime Statistics -
Calendar Year 2005**

At the recent meeting of the Council Committee on Public Safety and Homeland Security, several council members requested additional information relative to the proposed changes to the juvenile curfew ordinance. The information requested included: a reporting of the number of curfew citations issued last year, additional information regarding criminal activity of juveniles and the victimization of juveniles for time periods other than the 10:00 p.m. to 12:00 a.m. period, the scheduling of forums to provide an opportunity for student feedback regarding the impact of this ordinance on our community's youth, the exploration of alternatives for officers from the northern portions of the city to have a more convenient location to process juvenile offenders, draft language for sanctioning business owners who knowingly permit juveniles to violate the curfew ordinance, and efforts to solicit TxDot to allow signage language informing those entering the city of the parameters of the Houston curfew ordinance.

Regarding the first request as it relates to curfew citations, Houston Police Officers issued a total of 3,781 citations for curfew violations during calendar year 2005. The following table illustrates the number of citations written in each month.

Juvenile Curfew Citations - Calendar Year 2005

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
2005	271	425	302	413	320	352	284	394	262	303	306	149	3,781

Source: Municipal Courts as published in the HPD December 2005 Monthly Crime Trend Comparison Report

Also as discussed, Juveniles are involved in incidents of violent crime as victims and as suspects. The following tables illustrate the type of violent crimes in which the juveniles are involved and the number of incidents during specific time periods of any given day for the calendar 2005. Table 1 depicts violent crimes committed by juvenile offenders and Table 2 represents violent crimes committed against juvenile victims. The row entitled "ALL HOURS" represents the total crimes for 2005 that were identified as having been either committed by a juvenile suspect or a case representing the victimization of a juvenile. As a reminder, state law defines a juvenile as an individual under the age of 17. The other rows indicate the total number of crimes committed between the specified time periods. The columns therefore are not cumulative. This information is provided with the intent to offer some perspective regarding the nature of juvenile crimes and victimization patterns as they relate to violent crime during certain time periods.

Table 1

**Violent Crimes Committed by Juvenile Offenders
Calendar Year 2005**

HOURS	Murder	Rape	Robbery	Aggravated Assault
3 p.m. - 10 p.m.	5	26	431	424
10 p.m. - 12 a.m.	3	1	161	77
12 a.m. - 6 a.m.	6	10	167	69
ALL HOURS	16	49	924	771

Source: UCR Data provided by Crime Analysis Division

Table 2

**Violent Crimes Committed Against Juvenile Victims
Calendar Year 2005**

HOURS	Murder	Rape	Robbery	Aggravated Assault
3 p.m. - 10 p.m.	10	111	303	621
10 p.m. - 12 a.m.	2	22	61	122
12 a.m. - 6 a.m.	4	70	62	106
ALL HOURS	20	276	522	1113

Source: UCR Data provided by Crime Analysis Division

With regard to the third request, student feedback is being sought. In fact, a town-hall meeting has been scheduled for March 30, 2006, at Booker T. Washington High School to offer an opportunity for comments from students regarding the curfew issue.

Fourth, the department has been aware of the concern of lengthy travel distances for officers from the north and west sides of the city to process juvenile violators at our facility on Mykawa. This situation was created by a number of factors outside of the department's control and required the Juvenile Division to be relocated to the Southeast Command Station. We continue to explore options that may allow our Juvenile Division to be relocated to a more central location. Recently, we have engaged in discussions with Harris County Juvenile Probation regarding the possibility of utilizing space that they may be willing to lease to the city for processing our juvenile violators. Discussions at this point should be considered very preliminary. However, the Houston Police Department is very much interested in vigorously pursuing this option.

Also, during the committee meeting, a request was made to have language authored that would provide for the sanctioning of business owners who knowingly permit juveniles to violate the curfew ordinance. This matter was referred to city legal to research and provide the draft language requested for Council's consideration.

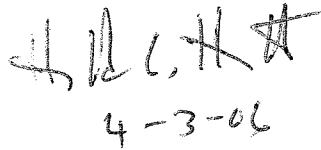
Finally, Captain J. P. Mokwa of our Juvenile Division has been tasked with contacting representatives from TxDot to explore the possibility of adding language to freeway signage regarding the hours of our city's curfew. At this point, we have no update.

Should you need additional information regarding this matter, please let me know.



M. W. Thaler, Executive Assistant Chief
Investigative Operations
Police Department

mwt:wcr



4-3-06

A grayscale background image of the Chicago skyline, featuring prominent skyscrapers like the Willis Tower and the Trump Tower, with a body of water in the foreground.

Violent Crimes Committed Against Juveniles

***Between 10 p.m. and 12 midnight
Calendar Year 2005***

Murder	2
Rape	22
Robbery	61
Agg. Assault	126

A grayscale, high-contrast image of the Chicago skyline, featuring prominent skyscrapers like the Willis Tower, serving as a background for the text.

Violent Crimes Committed by Juveniles

***Between 10 p.m. and 12 midnight
Calendar Year 2005***

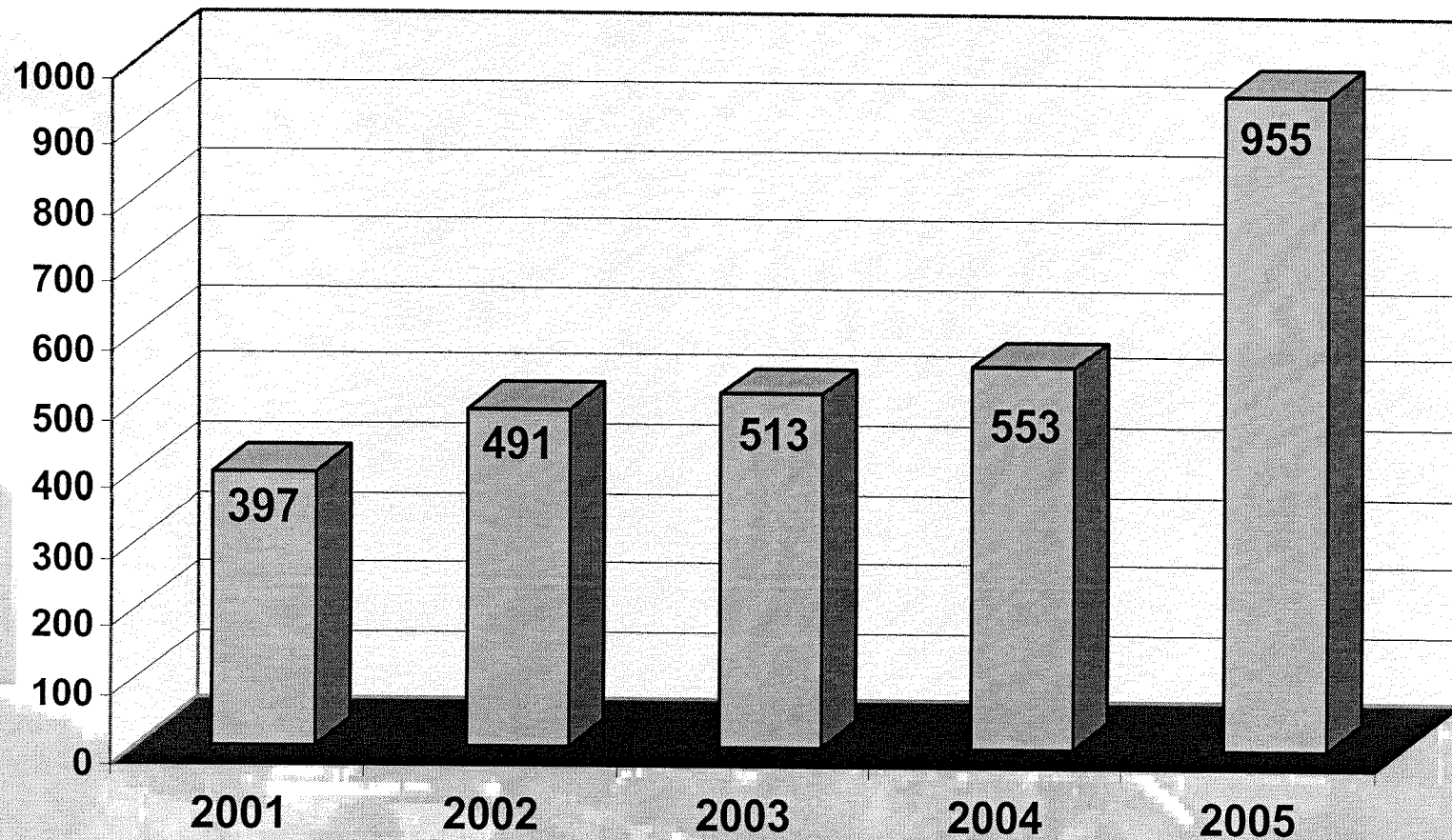
Murder	3
Rape	1
Robbery	161
Agg. Assault	77



Juvenile Incarceration Information

Juvenile arrests peak in the hours immediately following school hours and then spike again between 10 p.m. and 12 midnight

Graffiti



*** 73% increase in reports of graffiti between 2004 and 2005**

ARTICLE V. JUVENILE CURFEW

Sec. 28-171. Definitions.

The following words, terms and phrases when used in this article shall have the meanings ascribed to them in this section, unless the context of their usage clearly indicates another meaning:

Curfew hours means the hours of 10:00 p.m. on any Sunday, Monday, Tuesday, Wednesday or Thursday and 6:00 a.m. of the following day, between the hours of 11:00 p.m. on any Friday or Saturday and 6:00 a.m. of the following day, or between the hours of 9:00 a.m. and 2:30 p.m. on a Monday, Tuesday, Wednesday, Thursday or Friday.

Emergency ~~shall~~ means an unforeseen combination of circumstances or the resulting state that calls for immediate action. The term shall include but not be limited to a fire, natural disaster, vehicular accident, or a serious medical condition of sudden onset.

Guardian ~~shall~~ means the person who, under a court order, is the guardian of the person of a minor or the public or private agency with whom a minor has been placed by a court.

Minor ~~shall~~ means any person under ~~48~~ 17 years of age.

Parent ~~shall~~ means the natural mother or father or adoptive mother or father of a minor.

Public place means any place to which the public or a substantial group of the public has access and includes, but is not limited to, streets, highways, and the common areas of schools, hospitals, apartments, ~~houses~~, office buildings, transport facilities, ~~and~~ restaurants, theaters, game rooms, shops and shopping centers.

Sec. 28-172. Offenses.

(a) It shall be unlawful for any minor to knowingly remain, walk, run, stand, drive or ride about, in or upon any public place in the city during curfew hours ~~between the hours of 12:00 at night (midnight) on any day of the week or between the hours of 9:00 a.m. and 2:30 p.m. on a Monday, Tuesday, Wednesday, Thursday or Friday.~~

(b) It shall be unlawful for the parent or guardian having legal custody of a minor to knowingly allow or permit the minor to be in violation of the curfew imposed in section 28-172(a) of this Code.

(c) Violations of this section shall be punishable as provided in section 1-6 of this Code.

Sec. 28-173. Defenses.

It is a defense to prosecution under section 28-172 of this Code that:

- (a) The minor was accompanied by his or her parent or guardian;
- (b) The minor was accompanied by an adult designated by his or her parent or guardian;
- (c) The minor was on an errand made necessary by an emergency;
- (d) The minor was attending a school, religious, or government-sponsored activity or was traveling to or from a school, religious, or government-sponsored activity;
- (e) The minor was engaged in an lawful employment activity or was going directly to or coming directly from lawful employment;
- (f) The minor was on the sidewalk of the place where he or she resides;
- (g) The minor was on an errand directed by his or her parent or guardian;
- (h) The minor was in a motor vehicle involved in intrastate or interstate transportation;
- (i) The minor was engaged in, participating in, or traveling to or from any event, function or activity for which the application of section 28-172 of this Code would contravene his or her rights protected by the Texas or United States Constitutions;
- (j) The minor was married or had been married or had disabilities of minority removed in accordance with chapter 31 of the Texas Family Code; or
- (k) With respect to the hours between 9:00 a.m. and 2:30 p.m. ~~only, that~~ the offense occurred during the school summer vacation break period of the

school in which the minor is enrolled or on a holiday observed by the closure of classes in the school in which the minor is enrolled or that the minor has graduated from high school or received a high school equivalency certificate.

- (l) With respect to the hours between 10:00 p.m. and 11:00 p.m., the day following the offense is a holiday observed by the closure of classes in the school in which the minor is enrolled.

Sec. 28-174. Supplemental effect.

The provisions of this article are supplemental and shall be cumulative with all other laws and ordinances applicable in any manner to juveniles.

Sec. 28-175. Enforcement.

Notwithstanding the penal effect of this article the chief of police is encouraged to develop alternative enforcement strategies, which may include but need not be limited to the return of minors to their residences or schools, counseling with minors and their parents or guardians, the issuance of warning citations to minors or their parents or guardians, or the referral of instances that appear to also involve the violation of school attendance laws to those officers who are responsible for the enforcement of those laws. The enforcement strategies shall be promulgated in writing to members of the police department so that this article may be enforced in a uniform manner.

Secs. 28-176--28-200. Reserved.



BILL WHITE
MAYOR

OFFICE OF THE MAYOR
CITY OF HOUSTON
TEXAS

2
JUL 26 2006

COPY TO EACH MEMBER OF COUNCIL:

CITY SECRETARY: 7-3-06

DATE

COUNCIL MEMBER: _____

June 29, 2006

The Honorable City Council
City of Houston

Dear Council Members:

Pursuant to Chapter 10, Article IX, Division V, of the Code of Ordinances, I am appointing the following individuals to the Building and Standards Commission, subject to Council confirmation:

Panel D:

Ms. Marcia A. Perry, appointment to Position 3, for a term to expire December 31, 2006;
and

Ms. SuSaNi N. H. Clayton, appointment to Position 4a, for a term to expire December 31, 2007.

The résumés are attached for your review. Additional appointments will be submitted at a later date.

Sincerely,

Bill White
Mayor

BW:CC:jsk

Attachments

cc: Ms. Doris Foreman, w/attachments
Ms. Ruth Hurst, w/attachments



Resume

Marcia A. Perry

1619 Weber

Houston, Tx 77007-2933

Home and Work 7.863.9773

Cell 281.923.5741

Fax 713.862.3839

Email: Txsparkle@aol.com

Eduacation: AA Degree in Interior Design - HCCS

Pest Management Technician

Conrad's Pest Control 92 – Current

Volunteer:

Proctor Plaza: Citizens on Patrol base station, Fund raising for Old Fashioned Street Light Fixtures.

Positive Interaction Program:

Past Chair and Vice Chair

First Ward: Editor and Publisher First Ward Newsletter 93 – Current

President First Ward Civic Council, Inc.

Avenue CDC:

Board member

Committees: Financial, Community Outreach, Building Committee

Citizens Transportation Coalition:

Vice Chair

Old West End Association:

Past Secretary

Washington Avenue Coalition:

Past Secretary and Member

Super Neighborhood #22

Past Secretary – President 95- Current

I-45 Coalition:

Current Member

Mothers for Clean Air

Current Member

Sierra Club

Past Member

Buildings to Standards Committee

Current Alternate Board 4

SuSaNi N. H. Clayton
Attorney and Counselor at Law
10703 Braesridge Drive
Houston, Texas 77071
(713) 777-8781 Home
(713) 270-5066 Office
(713) 777-1001 Fax

EDUCATION:

1984	JURIS DOCTORATE:	University of Denver, College of Law
1978	MASTERS OF ART:	Linguistics University of Arizona
1976	BACHELOR OF ARTS:	English University of Colorado

EMPLOYMENT:

2003 - Present:

The Financial Services Company of the Southwest, Houston, TX.
Corporate Counsel and Settlement Consultant

1984 - 2003:

Holland & Hart, LLP, Denver, Colorado
Of Counsel and Director of Diversity

1979 - 1981:

University of Colorado, Colorado Springs, Colorado
Instructor of English and English Composition

1980 - 1981:

Pikes Peak Urban League, Colorado Springs, Colorado
Director of Research and Development

PROFESSIONAL AND COMMUNITY ORGANIZATIONS:

CURRENT:

Board member of Professional Women's Fellowship, Houston, TX.
Member of the Diversity Committee of the Minority Corporate
Counsel Association, Houston Chapter, Houston, Texas
The Fountain of Praise, Houston, Texas
State Bar of Texas
Colorado and the Denver Bar Associations
Colorado Indian Bar Association
National Native American Bar Association
Association of Corporate Counsel
Association of Trial Lawyers of America
American Bar Association
University of Denver College of Law Visiting Committee

PAST:

Past member and chair of the Board of Trustees for the National
Association for Law Placement's Foundation for Research and Education
(NALP) (1997 - 2001)
Founding member and past president of the Alfred A. Arraj
American Inn of Court
Founding member and twice past chair of the Colorado Pledge to
Diversity Law Firm Group

Past Board member of the Center for Women's Employment and
Education (CWEE)

Past member of the Colorado Supreme Court Board of Law Examiners

Past member of the Colorado Association of Commerce & Industry's
(CACI) 50 for Colorado 2000 Leadership Group.



BILL WHITE
MAYOR

OFFICE OF THE MAYOR
CITY OF HOUSTON
TEXAS

3
JUL 26 2006

COPY TO EACH MEMBER OF COUNCIL:

CITY SECRETARY: 7-3-06

DATE

COUNCIL MEMBER: _____

June 29, 2006

The Honorable City Council
Houston, Texas

Dear Council Members:

Pursuant to Houston City Code Sections 2-381 and 2-382, I am appointing or reappointing the following individuals to the Houston Commission on Disabilities, subject to City Council confirmation:

Ms. Pam Mackie, appointment to Position One, for an unexpired term ending July 26, 2007;
Ms. Robbie Marie Arrington, appointment to Position Two, for a term to expire July 26, 2008;
Ms. Sopheak Pen, appointment to Position Four, for a term to expire July 26, 2008;
Mr. David A. Fowler, reappointment to Position Six, for a term to expire July 26, 2008;
Ms. Teri Wathen, appointment to Position Seven, for an unexpired term ending July 26, 2007;
Mr. Scotty MacClymonds, appointment to Position Eight, for a term to expire July 26, 2008;
Ms. E. Vernell Jessie, reappointment to Position Ten, for a term to expire July 26, 2008;
Ms. Eve Cugini, appointment to Position Twelve, for a term to expire July 26, 2008;
Dr. Stanley J. Zimmerman, appointment to Alternate Position Two, for a term to expire July 26, 2008; and
Mr. Diego Demaya, appointment to Alternate Position Four, for a term to expire July 26, 2008.

The résumés of the appointees are attached for your review.

Sincerely,

Bill White
Mayor

BW:CC:jsk

Attachments

cc: Ms. Kym King, w/attachments



Pam Mackie, MS

10706 Russett Drive
Houston, Texas 77042
713.974.4334

OBJECTIVE:

I want to obtain a satisfying opportunity to empower others.

QUALIFICATIONS

I am a Masters Program graduate. I have good listening skills, great organizational skills, and excellent people/process skills. I am highly motivated, respectful of others, and passionate about providing the means for others to empower themselves.

EDUCATION

May 1980 High School diploma, Sharpstown Senior High School, Houston, Texas

May 1994 Bachelor of Science in Psychology, University of Houston, Houston, Texas

Dec. 2004 Masters of Science in Psychology, specializing in Marriage and Family Therapy,
Our Lady of the Lake (OLLU), Houston, Texas

EMPLOYMENT

April 1999 - Present Contracting Facilitator, Center for Research on Women with Disabilities

Facilitating psychoeducational workshops designed to be 2, 6, 8, or 10 week programs for women with disabilities. Presenting relevant information, drawing out similarities and connections between participants, and facilitating positive behavior changes. Some workshops have been Aging Well with Disabilities, Self-Esteem, Safe Relationships, Stress Management, Depression Self-Management, Depression Education.

Sept. 2003 - July 2004 Counseling Intern, Harris County Hospital District
Counseling individuals, couples, and families at Acres Home and Aldine Community Health Clinics.

Aug. 1984 - Dec. 1987 Legal Secretary and Librarian, Hill, Rivkins, Carey, Loesberg, O'Brien, & Mulroy

Answering the phone, receiving clients, word processing, filing, indexing, and copying letters, evidence, legal documents, dispositions, and necessary documents to arrest ships in the port. Duties also included updating the law books as revisions came in.

Jan. 1984 - Aug. 1984 Interior Decorator Assistant, Perry Homes, Interest, Inc.

Inventory accounting, preparing purchase orders, ordering, and delivery of accessories to be installed in model homes.

Mar. 1982 - Dec. 1983 Collections Clerk/Sorter Operator, InterFirst Bank Austin

Duties as collections clerk included checking daily balances of accounts with outstanding collection instruments and debiting said accounts when balances were sufficient. Sorter operator duties included entering the appropriate computer program for sorting the batches of checks from the clearing house for our and neighboring banks. Sorting and processing the checks into bundles and subsequent balancing.

Jun. 1981 - Dec. 1981 Architect Assistant, Wallace, Steinberg, & Associates

Answering the phone, typing, filing, gophering, and assisting the architects with blue print designing.

*Jan. 1981 - Jun. 1981 Data Entry, Elogi Computer Programming
Entering data onto punch cards for a computer programming development contract for NASA.*

*Jun. 1979 - Sep. 1979 Electronic line worker, SIE, Inc.
Manufacturing coils for geophones.*

*Sep. 1978 - Aug. 1980 Cashier, Manager, Mark's T-shirts
Cashiering, making custom t-shirts, hiring, firing, controlling inventory, and preparing and making bank deposits.*

*Jun. 1978 - Sep. 1978 Receptionist/Dental Assistant, Thomas Jay Janson, DDS
Answering the phone, booking appointments, filing, preparing insurance documents, sterilizing instruments, preparing dental room for patients, developing x-rays, and assisting dentist.*

*Jan. 1978 - Apr. 1979 Cashier/cook, Whataburger
Cashiering, preparing food, cooking food, cleaning tables, floors, and stocking supplies.*

*Oct. 1977 - Dec 1977 Cashier/cook, Long John Silvers
Cashiering, preparing food, cooking food, cleaning tables, floors, and stocking supplies.*

ACTIVITIES *Volunteer for Sheltering Arms, The Institute for Rehabilitation and Research (TIRR)
Peers, TIRR, and City of Houston Parking Management
Volunteered for Child Advocates, Sheltering Arms, Brennan & Johnson Law Firm,
and Texas Association for Marriage and Family Therapy (TAMFT)
Former student representative in the Student Psychological Association at OLLU
Presented a workshop at the TAMFT Conference
Former President of Banyan Condominium Association
Former Executive Director of Independent Life Styles, Inc.*

HONORS *Who's Who Among High School Students
High School National Honor Society
Kappa Gamma Pi Honor Society
Psi Chi Honor Society*

Robbie Marie Arrington
3714 Yellowstone
Houston, TX 77021

713-754-7000 wk
713-747-2611 HM

Ms. Arrington is currently employed at Career and Recovery Resources, Inc., where she has served as Coordinator of the Projects With Industry (PWI) Program since 1997. Prior to her appointment to the Coordinator position, Ms. Arrington was a PWI Employment Specialist. Ms. Arrington's prior experience covers a broad range of human services programs in the alcohol and drug abuse treatment and prevention fields. She attended Texas Southern University as journalism major and completed one of the first classes at the University of Houston as a Certified Alcohol Counselor. Ms. Arrington also studied substance abuse counseling at the University of Texas.

Ms. Arrington has become recognized at the local, state and federal level for the innovative work she and her staff have done in assisting persons with disabilities in securing meaningful and sustained employment. Ms. Arrington is currently an active member of the City of Houston's Mayor's Committee on Employment of People with Disabilities (Education Chairperson) and the Houston Center for Independent Living (Board of Directors, Vice-Chair). She has attended numerous conferences as both a participant and workshop presenter, including:

- I-NABIR Conference Partnerships at Work – 1998;
- Rehabilitation Services Administration – Projects With Industry National Conference – 1998;
- National employment Conference: Building Effective Relationships with Employers – 1998;
- I-NABIR New Ideas and Methods for Job Placement – Changes in the Rehabilitation Act – 1998;
- Horizon Leadership Training – Mentoring Program for Projects With Industry – 1999;
- I-NABIR Washington Conference – Workforce Incentives Improvement Act, Welfare to Work, Empowerment Zones/Enterprise Communities – 1999;
- Employment Access '99, Access Solutions for Employment – 1999;
- I-NABIR Regional Training Conference – Collaboration for Success – 1999 (presenter)
- Disability & Employment: Investing in Effective Strategies for Employing Individuals with Disabilities – 2000 (presenter); and
- Region VI employment Conference, Building Employment Foundations: Blueprints & Tools – 2001 (presenter)

June 6, 2006

Sopheak Pen

7511 Roaring Springs Dr.

Houston Texas 77064

H 713-896-7043

C 713-515-9004

W713-732-5006

My name is Sopheak Pen. Through out my life I have face so many challenges due to my physical disability with polio. Having a disability taught me to be strong individual to survive and function in society, yet to be humble at the same time. Although, I have been bless with success in my academic and professional careers, there are so many people with disabilities are still struggling trying to make a better life for themselves and their families.

I graduated from University of Houston-Downtown in 1997 with a bachelor degree in Social Science. I am employed with the City of Houston Department of Health and Human Services (HDHHS) as a Medical Social Worker. My duties take me to several of the health centers that are run by HDHHS including Casa de Amigos, Magnolia and Sunnyside. My responsibilities include certifying patients for medical services and referring patients to other agencies for services that are not provided by the Health Department.

Prior to coming to HDHHS I worked for Career and Recovery Resources Inc. as employment specialist assisted people with disabilities with job placement. My supervisor at Career and Recovery and past Commissioner of the Houston Commission on Disabilities, Robbie Arrington, nominated me to the board for the Center for Independent of Living.

It would be a great honor if nominated to be part of this exciting commission. I look forward to working with each and everyone of its hard-working and dedicated member.

805 Chelsea, Suite B
Houston, TX 77002
E-mail dfowler@houston.rr.com

Phone (713) 520-8782

David A. Fowler

Objective To obtain a position where I can be directly involved in advocating for the disabled community of Harris County, as well as use my expertise to advise on all issues relevant to the disabled citizens.

Experience

2002 - present Houston, Texas
Texas Paralyzed Veterans Association - President
Served as the principal executive officer of the Corporation which supervised and controlled all business affairs of the Corporation. Represented the Corporation in all instances wherein the Corporation has an interest. Annually prepared a full and true statement of the affairs of the Corporation which is submitted at the end of the fiscal year to the Board and General Membership. Performed other duties as assigned to by the Board of Directors and/or the General membership. Delegated other officers of the Corporation such duties as fit without divesting ultimate responsibility and authority. Appointed such committees as considered necessary to assist with the Business of the Corporation.

1996 - present Houston, Texas
Texas Paralyzed Veterans Association - Advocacy
Served as an advocate for the civil rights of all disabled Americans. Communicated positions and policy statements to our members and the disabled community as a whole on issues such as veteran's issues, housing, voting, civil rights, employment, transportation, Social Security, Medicare and Medicaid.

1997-2000 Houston, Texas
Texas Paralyzed Veterans Association - Vice-President
Served in the position of Vice-President during which time I served as acting president for two years while the incumbent was hospitalized.

1998 - 1998 Houston, Texas
Texas PVA, Southeast Subchapter - Vice-President
Served as Texas PVA Southeast Subchapter Vice-President.

1995 - 2000 Houston, Texas
Texas PVA, Southeast Subchapter - Advocacy Director
Served as Advocacy Director for the Southeast Texas Subchapter of Texas PVA.

Skills and Qualifications

1995 - 2004 National PVA Advocacy/Legislation Seminar
1995 - 2003 Attended Governor's Committee on People With Disabilities Meetings
1986 Completed certification as a Peer Associate Advisor for MEDVAMC
1977 - 1983 Worked in Home Construction
1998 - 2003 Worked with Tony Koosis on passing Visitability through the assistance of Gordon Quan.
1983 - 1986 United States Army, 82nd Airborne Division

Organizations

Life Member of Paralyzed Veterans of America since 1985
Member of Disabled American Veterans since 1994
Member of Peer Associate Partner Council at MEDVAMC
Member of 82nd Airborne Association

Reference:

Maureen McClosky, National Advocacy Director - PVA 202-416-7696
Dennis Borel, Executive Director - Coalition of Texans With Disabilities 512-478-3366
Sheila Jackson Lee - Congresswoman - 18th District Texas 713-655-1612
Dr. Sally Holmes - SCI Care Line Executive - MEDVAMC 713-794-7128

Teri Wathen
Communication Axxess Ability Group
1445 North Loop West, Suite 310
Houston, TX 77008
713 807 1176
713 807 1238 fax
teri.wathen@axsability.com

Teri Wathen
12115 Valencia
Meadows Place, TX 77477

EDUATION

Stephen F. Austin University	M.Ed. in Supervision	1977
University of Houston	B.S. in Education	1968

EMPLOYMENT

September, 2005-present Hard of Hearing Specialist (full time)

September, 2001-present Hard of Hearing Specialist/STAP Coordinator-
Communication Axxess Ability Group – funded through
a grant with DARS-Office for Deaf and Hard of
Hearing Services

1968-2000 Teacher Ft. Bend ISD (retired)

COMMUNITY SERVICE

Hard of Hearing Task Force Committee of Texas Commission for Deaf and Hard
of Hearing – Chairman

Hear Me Foundation – past Board Member

Houston Self Help for Hard of Hearing People – Co-founder and President - 1987

Texas Alexander Graham Bell Association – past Board Member

Illuminations, Theater of the Deaf – past Board Member

Progressive hearing loss since birth. Wear two cochlear implants. Husband,
both sons, and grandson have a hearing loss.

Scotty MacClymonds

729 W. 39th Street
Houston, Texas, 77018
blimycapn@oplink.net

Home: (713) 691-3020

Work: (281) 448-4739

I was born in Houston in July of 1952 and contracted polio in the summer polio epidemic of 1954. I was paralyzed from the neck down and was placed into an iron lung eventually recovering enough to walk with leg and back braces. When 14, I was the second or third person to have Harrington rods and spinal fusion, a process developed by Dr. Harrington at Methodist Hospital for patients with extreme scoliosis. I was a Boy Scout in the 1960's reaching the rank of Life Scout and ultimately became Senior Patrol leader. In high school, I was active in the Drama Department and became Stage Manager and Lighting Director.

Goals

Concerning disabilities, my personal goal is to experience life to the fullest degree my disabilities will allow and beyond. Through the Access This! radio show I do my best to bring compelling stories and people to the show that will express the lives and challenges of people with disabilities as well as provide information about disabilities to increase understanding amongst the general population on matters critical to people with disabilities.

Education:

- ◆ Northeast Missouri State University, North Texas University, Sam Houston State University
- ◆ Graduated from Houston's S.P. Waltrip in 1971

Tools:

- ◆ MS Word, FrontPage, many types of power and hand tools, welding machines, broadcasting equipment, espresso machines

PROFESSIONAL EXPERIENCE:

1976 – Present

Sport & Classic Car Company

- ◆ In 1976 I founded the Sport and Classic Car Company, now Texas's premier firm devoted to restoring Rolls Royce and other British cars, vintage Mercedes Benz and Maserati.

1982 – Present

Billions of Car Parts Company

- ◆ Founded this firm for the world wide sales of Rolls Royce and other British car parts and services. www.britshcarpartscos.com

VOLUNTEER EXPERIENCE:

- ◆ KPFT Radio 90.1 Houston Texas
 - Since March of 2004 the producer of Access This! a disability radio program on people with disabilities and public affairs programming related to disabilities
 - Served on many KPFT committees among them the Citizens Advisory Board
 - Founding and Key member of the KPFT Building Collective
 - Instrumental in making the KPFT building ADA complaint
 - Volunteered for service with KPFT in the 1970
- ◆ Participant on *Night Line* discussing response to Katrina and Rita - 2005

- ♦ 1995, featured guest discussing disability topics on Green Watch, an hour long TV interview program on Houston's Access Channel
- ♦ Displayed antique cars in Classy Chassis, a Houston car show benefiting United Cerebral Palsy, 2003, 2004
- ♦ 1992, organized a fundraiser for a child with terminal cancer
- ♦ 1992 organized a failed effort to save the Garden Oaks theater as a vintage theater
- ♦ 2005, organized a fundraiser with the Rolls Royce Club benefiting Cerebral Palsy

- ♦ Antique Fan Club Association (AFCA)
 - President 1999-2001
 - Vice President 1998
 - Board member 1996-1998
- ♦ Garden Oaks Civic Club member
 - 1986, Initiated Xeriscape landscaping projects in neighborhood parks
 - 1988, secured the donation of a major artwork to the city of Houston and worked with the Garden Oaks Civic Club to place the artwork in a neighborhood park located at 34th Street and Sue Barnett. Helped build a large concrete base for the artwork and worked with the City Parks Department in this endeavor.
 - Editor of Garden Oaks Gazette 1992
 - Co-founder of Garden Oaks Recycling program

Interests

- ♦ Antique electric fan and motor restoration
- ♦ Metal sculpture
- ♦ Electric and acoustic guitars
- ♦ Disability rights and causes

Awards

- ♦ 2005 Barbara Jordan Media Award for two Access This! shows
 - A series on Post Traumatic Stress Syndrome on war veterans with Dr. Horvath of the Houston VA
 - A show with Debra Nowinski and the Dionysus Theater, a Houston theater troupe that features both disabled and abled actors.
- ♦ 2000 AFCA Michael Breedlove Brass Fan Award
 - Awarded for support to organization well beyond call to duty
- ♦ 1985 Texas EPA award for work developing the Garden Oaks Recycling program
- ♦ 1971 Winner of the Hallmark Award for sculpture

Publications

"Fan Lubrication", *Fan Collector (AFCA)*, www.fancollectors.org

E. Vernell Jessie
4715 Jackson
Houston, Texas 77004
713-741-2215/713-991-4241

Education	Tarrant County Junior College Ft. Worth, Texas Journalism, Speech	1967-69
	University of Houston Journalism, Speech, Editorial Writing BA in Journalism	1969-71
	Dorothy Sarnoff Speech Dynamics Training Center New York, NY	1976
Professional Experience	Advantage Communications Consultants	5/2000-11-2000
	Liaison between company and press office on projects including the Gary Graham Case with the Rev. Jesse Jackson. Coordinated media for a national project in the top six cities of the country on the Kyoto Protocol. Arranged national event with the National Press Club that garnered national attention on CNN.	
	District of Columbia Public Schools Division of Public Engagement Executive Director	2/99-8/99
	Charged with ensuring all stakeholders were informed in an effort to move the district toward exemplary status. Oversight for Media Relations/ Communications, Publications, Parental Involvement, Corporate and Community Affairs for D.C. Public Schools.	
	Houston Independent School District Director of Media Relations	11/91-2/99
	Served as liaison with electronic and print media, arranged all media coverage of events in the district. Maintained favorable public image of HISD. Supervised Media Relations, Publications, and Citizens Information Services Bureaus. Coordinated production of news releases, interviews, news conferences, speeches, publicity materials and other documentation for administration and the Board of Education.	

Counseled small businesses on employee benefits packages. (Agent of record for the largest municipal contract in local agency's history.)

KXAS-TV (Fort Worth)

General Assignments Reporter/Weekday Talk Show Anchor

Assigned to City Hall covering newsworthy events and reporting them at 6 and 10 p.m. As weekday anchor, recapped major news items of the day.

KNOK Radio (Fort Worth)

74-75

News Director

Supervised staff of three reporters; presented news during morning drive; worked as liaison between the station and community organizations.

KKDA Radio (Dallas)

74

Newscaster

Compiled, edited and presented newscasts.

KILT Radio (Houston)

74-73

Reporter/Weekend New Anchor

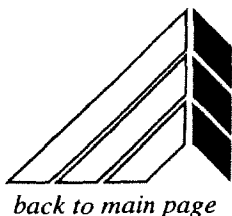
Covered a spectrum of general assignments for the number-one station in the market.

KYOK Radio (Houston)

73-71

News Director/Talk Show Host

Supervised staff of three: presented morning drive-time news and information updates; hosted a weekly community affairs call-in program; responsible for the station's weekly editorial broadcast statement.



INTERFACE

The Mental Health and Mental Retardation Authority of Harris County

December 2001-January
2002

Veteran public relations executive joins MHMRA of Harris County

[Adopt-A-Family](#)

[Rationing Care](#)

[National health group will honor
medical director of Managed Care](#)

[Veteran public relations executive
joins MHMRA of Harris County](#)

[28-year employee Alma LeBlanc
passes away](#)

[Burke chairs Texas social
workers' committee](#)

[Program builds on strengths](#)

[Mental Health Association
honors 4 from MHMRA](#)

[UTHCPC receives telemedicine
funds](#)

[MR PAC members spotlighted](#)

[MHMRA Executive Director &
Houston Chief of Police](#)

[Don't call someone, reach out to
them'](#)

[FEMA, MHMRA helping victims
of flooding](#)

[MHMRA Stars](#)

[Professional at work, on gridiron](#)

[Consumer donates artwork](#)



Vernell Jessie, a longtime public relations executive who most recently led the public affairs department for the Washington D.C. school system, has joined MHMRA of Harris County as Interim Director of Public Affairs.

In her new position she will lead efforts to herald MHMRA's mission to the Harris County community. She also will work to improve communications with consumers of services and to employees within the 1,500-member mental health and mental retardation agency.

As the Executive Director for the Division of Public Engagement for the Washington schools, Jessie developed internal and external communications, interacted with Washington media on school issues, and worked on projects to build school system awareness.

Prior to that, Jessie worked for the Houston Independent School District for seven years, attaining the position of Director of Communications before leaving for Washington.

Dr. Steven B. Schnee, Executive Director of MHMRA, said, "I am delighted to have Vernell Jessie as part of our MHMRA team. At a time of tightened budgets and increased targets, we think her talents will be invaluable in communicating the mental health and mental retardation public care situation to our community."

Jessie has served on numerous professional and community organizations, including the Board of Directors and the Foundation Committee of the Texas Public Relations Association, and has received the Houston Association of Black Journalists' Trailblazer Award.

Jessie also has been co-host of a cable TV program and worked as a radio newscaster, talk show producer, and news director.

Staff & Contributors

Contact us:

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[MR Services](#) | [Human Resources](#) | [MHMRA News](#) | [Furniture Bank](#)

[Fund Raising](#) | [Calendar](#) | [Related Links](#)

Eve Cugini

12919 Deer Sage Court

Houston, TX 77041

713-858-4847

evēcugini@sbcglobal.net

OBJECTIVE: To utilize my background and skills in a progressive organization working to make a difference in people's lives.

PROFESSIONAL EXPERIENCE:

- Nonprofit Executive Director with background in the development of a nonprofit organization focused on improving the lives of people with disabilities:
 - Creation of mission and vision for nonprofit;
 - Development of programs;
 - Recruitment and retention of staff and volunteers;
 - Broad fundraising experience including, grant writing, special events, corporate asks and individual giving;
 - Production of marketing materials;
 - Production of an organization newsletter;
 - Design and maintenance of organization website.
- Stakeholder participant at the Texas Education Agency on a number of committees devoted to systems changes in the field of special education.
- Co-authored a training manual and numerous other presentations for families of children with disabilities and educators, teaching schools and families to work together to benefit students with disabilities.
- Published articles for F2F News.
- Guest lecturer at Sam Houston State University and The University of Houston-Clear Lake for students preparing to work in field of education.
- Presented at numerous local, state, and national conferences on topics of disability.
- Extensive retail management experience.

EXPERIENCE

1993 – Present Family to Family Network, Houston, TX

Executive Director/ Founder

- Determined direction of the organization from inception;
- Responsible for overall management of the organization.
- Direct staff to accomplish board-approved plans and goals;
- Develop programs, policies and procedures;
- Participate in and oversee grant activities.
- Participate in activities that support the mission and vision of Family to Family Network, such as professional presentations, participation in state level policy development, network with diverse organizations.
- Provide reporting and communicate with funding agencies.
- Report to board of directors at quarterly board meetings and throughout the course of the year on all aspects of the organization.

Current F2F grant projects include:

- Partners in Policymaking from the Texas Council for Developmental Disabilities,
- Disability Leadership Network of Houston from the Texas Council for Developmental Disabilities,
- Family Friends from the National Council on Aging,
- Community Outreach Project from the Library of Congress, and
- Houston Endowment Educational Programs.

1996 – 1997 Partners Resource Network, Houston, TX

Area Development Director

Responsible for providing assistance to parents of children with disabilities navigating the public education system with the statewide parent training and information center.

1995 – 1996 Neurodevelopmental Therapy Services, Houston, TX

Marketing Coordinator / Parent Liaison

Responsible for public relations, development of programs and marketing materials, monthly newsletter and staff development for a therapy center providing services for children with disabilities.

1991 – 1994 Jay Jacobs Stores, Houston, TX

District Sales Manager

Responsible for total operations, hiring and training of personnel, profit and loss in eleven-store district.

1987 – 1991 Ups N Downs Retail Stores, Houston, TX

District Sales Manager

Responsible for total operations, hiring and training of personnel, profit and loss in eight-store district.

Awards: 1988 Company District Manager of the Year

EDUCATION

1984 University of South Carolina, Columbia, SC, Bachelor of Arts, English

1995 Partners in Policymaking Program, Austin, TX

Professional Affiliations of Eve Cugini:

1994 – 1995	Project TYKE Advisory Committee
1997 – present	Cypress-Fairbanks ISD Special Education Parent Advisory Committee Executive Committee member
1998 - 1999	Accountability Monitoring Stakeholder Group at the Texas Education Agency
1998 – 2001	Texas TASH Executive Committee Member
1998 – 2000	Hairgrove Elementary Site-Based Management Team Member
1999 – 2000	Hairgrove Elementary PTO Executive Committee Member
1998 - present	State Developed Alternative Assessment Stakeholder Group at the Texas Education Agency
1999 – present	Guest Lecturer at Sam Houston State University and University of Houston – Clear Lake
1999 – present	Community Leadership Development Program Project Advisory Committee Member
2000 – 2002	Kirk Elementary Site-Based Management Team
2000 – 2002	Cypress Fairbanks Independent School District Gifted and Talented Advisory Committee Member
2000 – 2001	Kirk Elementary PTO Executive Committee Member
2000 – present	Personnel Shortage Survey Stakeholder Group at the Region 4 Education Service Center
2000 – present	Office of Special Education Programs Continuous Improvement Monitoring Process Steering Committee Member
2000 – 2005	AIM Project Inclusive Middle School Grant Project Advisory Committee Member
June, 2001	Parent Representative for the Texas Education Agency OSEP Monitoring Institute in Seattle, Washington
2001 – present	Parent Training Stakeholder Committee at the Texas Education Agency
2001 – present	Comprehensive System of Personnel Development Leadership Council at the Texas Education Agency
2001 – present	General Supervision Stakeholder Committee at the Texas Education Agency
2002	Presenter at American Academy of Pediatrics Medical Home Conference
July, 2003	Parent Representative for the Texas Education Agency OSEP Monitoring Institute in Salt Lake City, Utah
2003 – present	Project DOCC Project Advisory Committee Member
2000 – present	Presenter at Inclusion Works Conference
2005	Discipline/Behavior Management Stakeholder Committee at the Texas Education Agency
2005- present	Appointment by Mayor Bill White to Houston Commission on Disability
2006	Presented at Mississippi Department of Education Leadership Conference
2006	Member of Houston Health and Wellness Town Hall Meeting Planning Committee
2006	Member of Unity Day 2006 Advisory Board

CURRICULUM VITAE**Stanley J. Zimmerman, M.D.****Page 2.****APPOINTMENTS****CURRICULUM VITAE**

NAME: Stanley J. Zimmerman, M.D., FACP, FACE, FACNM

HOME ADDRESS: 5210 Rutherglenn
Houston, Texas 77096
(713) 723-7106

OFFICE ADDRESS: 7707 Fannin, Suite #250
Houston, Texas 77054
(713) 797-9999

BIRTH: Galveston, Texas

MARITAL STATUS: Married, Spouse: Jane White, four children

EDUCATION

Southern Methodist University	Dallas, Texas 1949 - 1950
University of Houston (B.S. Degree)	Houston, Texas 1950 - 1951
Southwestern Medical School, University of Texas (M.D. Degree)	Dallas, Texas 1951 - 1955

TRAINING

Hermann Hospital (Rotating Intern)	Houston, Texas 1955 - 1956
Hermann Hospital (Resident in Medicine)	Houston, Texas 1956 (6 mo.)
United States Air Force (Department of Medicine) 6407 USAF Hospital	Japan 1956 - 1958
Hermann Hospital (Resident in Internal Medicine)	Houston, Texas 1958 - 1960
Baylor University College of Medicine (Clinical & Research Fellow, Endocrinology)	Houston, Texas 1960 - 1961
Baylor College of Medicine (Assistant Professor in Medicine, Endocrine Section)	Houston, Texas 1961 - 1962
Baylor College of Medicine (Clinical Assistant Professor in Medicine, Endocrine Section)	Houston, Texas 1963 - 1996

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Stanley J. Zimmerman, M.D.

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MEMBERSHIPS

American Board of Internal Medicine	February, 1964
Fellow of American College of Physicians	November, 1966
Fellow of American College of Endocrinology	May, 1996
American College of Nuclear Medicine (Chart Member)	December, 1973
International Association for the Study of Pain	1979 to Present
The Society for Clinical and Experimental Hypnosis	1979 to Present
American Academy of Pain Management (Diplomat)	1991
American Association of Clinical Endocrinologists	1991
American Society of Internal Medicine	1992
Distinguished Fellow of American College of Nuclear medicine	1994
The Harris Count Medical Society	1955 to Present
The Endocrine Society	
Houston Internal Medicine Society	
Nuclear Medicine Society	
Texas Medical Association	

HOSPITAL APPOINTMENTS

The Methodist Hospital	Clinical Associate of Medicine and Active Staff
St. Luke's Hospital	Consulting Staff
The Woman's Hospital	Courtesy Staff
Intracare Hospital	Courtesy Staff
The Specialty Hospital of Houston	Courtesy Staff

SPECIAL APPOINTMENTS

Examiner for Texas Rehabilitation Commission	1970 to Present
Aviation Medical Examiner	1979 – 2000
Examiner for Department of Defense	1983 to Present
Consultant for Texas State Board of Medical Examiners	1994 to Present

CURRICULUM VITAE

Stanley J. Zimmerman, M.D.

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MEETINGS AND SEMINARS

1. 1980 Annual Session of TA, Houston, Texas Medical Association, Austin, Texas May 14, 1980
(6 hours)
2. Baylor & University of Texas, Department of Medicine American College of Physicians, Course
#DO MKSAP Review, Houston, Texas June 17 – 20, 1980
(30 hours)
3. Texas Heart Institute, 11th Annual Cardiology Symposium, Houston, Texas, October 2 – 4, 1980
(17 hours)
4. University of Texas, Current Approaches to Clinical Management of Severe Infections, Houston,
Texas, October 16, 1980
(4 hours)
5. Institute of Medical Education Research, Flexible Sigmoidoscopy, Baltimore, Maryland, November
14 – 15, 1980
(30 hours)
6. American Diabetic Association, Recent Advances in Diabetic Management, Austin, Texas,
November 21, 1980
(6.5 hours)
7. Del Oro Hospital Medical Center, Symposium – Commun Neurology, Houston, Texas, March 21,
1981
(6 hours)
8. The University of Texas Health Science Center, Infectious Disease Update, Houston, Texas,
September 24, 1981
(4 hours)

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MEETINGS AND SEMINARS (continued)

9. Tulane Medical Center, Anxiety: The Therapeutic Dilemma, Multimedia Self-Instruction Program, New Orleans, Louisiana, April 28, 1982
(2 hours)
10. Baylor College of Medicine, Review of Internal Medicine, Houston, Texas, June 17 – 19, 1982
(24 hours)
11. Baylor College of Medicine, New Drugs for Old Bugs, Houston, Texas, June 25, 1982
(5 hours)
12. Industrial Audiometric Technician Training Course, Houston, Texas, April 1983
(8 hours)
13. Federal Aviation Administration, Aviation Medicine, Austin, Texas, June 16 – 19, 1983
(26 hours)
14. Methodist Hospital Grand Rounds, Houston, Texas, 1984
(12 hours)
15. Baylor College of Medicine, Practical Hypnotherapy, New Orleans, Louisiana, July 18 – 21, 1984
(15 hours)
16. Baylor College of Medicine, Preceptor 6th Block, Introduction to Patient II Course, September 10 – October 8, 1984
(10 hours)
17. The Methodist Hospital Grand Rounds, Houston, Texas, 1985
(6 hours)
18. University of Texas Health Science Center, Antihypertensive Therapy in the Mid 80's, Houston, Texas, January 17, 1985
(6 hours)

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MEETINGS AND SEMINARS (continued)

19. American Heart Association, Cardiology Round Up' 85", Houston, Texas, February 23, 1985
(6.5 hours)
20. Baylor College of Medicine, Multidisciplinary Oncology Seminar, Houston, Texas March 19, 1985
21. MKSAP VIII, Endocrinology/Metabolism, June 4, 1984
(1 hour)
22. University of Texas Dental Branch, Basic and Clinical Science Series, Lectures with Postgraduates, Houston, Texas, July 17 – 19, 1985
(15 hours)
23. Baylor College of Medicine. Preceptor 6th Block, Introduction to Patient II course, Houston, Texas, June 17 – July 15, 1985
(10 hours)
24. College of Physicians of Columbia University, Practical Aspects of Ace Inhibition and Beta-Blockage in Clinical Practice, Phoenix, Arizona, September 6-7, 1985
25. University of Texas Dental Branch, Drugs Used in Treating Angina Disorders, Houston, Texas, November 21, 1985
(2 hours)
26. Baylor College of Medicine, Thyroid Cancer: Current Diagnosis & Treatment, Multidisciplinary Oncology Seminar, Houston, Texas December 3, 1985
(2 hours)
27. Baylor College of Medicine, Department of Medicine Conferences, Houston, Texas 1985
(20 hours)
28. University of Texas Dental Branch, Gerontology Conference, Houston, Texas
(2 hours)

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MEETINGS AND SEMINARS (continued)

29. The Methodist Hospital Grand Rounds, Department of Medicine, Houston, Texas, 1986,
(20 hours)
30. Baylor College of Medicine Lung Cancer, Current Concepts and Practices, Multidisciplinary
Oncology, Houston, 1986
(2 hours)
31. University of Texas Dental Branch, Basic & Clinical Science Lectures with Postgraduates, Houston,
Texas, July 17 – 22, 1986
(8 hours)
32. Baylor College of Medicine, Preceptor 6th Block, Introduction to Patient II Course, Houston, Texas,
August 25 ~ October 6, 1986
(12 hours)
33. Temple University School of Medicine, Treatment of Gastroesophageal, Reflux Disease, November,
1993
(1 hour)
34. Baylor College of Medicine, Fundamentals of Practice Therapeutics, Houston, Texas April 1994
(6 hours)
35. Department of Health & Human Services, Pneumonia Prevent: It's worth A Shot, May, 1994
(1 hour)
36. Texas Medical Association, Fundamentals of Risk Management, May 1994
(3 hours)
37. American Thoracic Society Clinical Guidelines Management of Adults with Community Acquired
Pneumonia, July, 1994
(2 hours)

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MEETINGS AND SEMINARS (continued)

38. Annenberg Center, Managing Diabetic Nephropathy, August, 1994
(1 hour)
39. Temple University School of Medicine, Gastrointestinal Sysmotility in Producing Upper-Gastric Symptoms, November, 1993 – November 1994
(1 hour)
40. Temple University School of Medicine, Pathogenesis & Symptoms of Gastroesophageal Reflux Disease, November 1993 – November 1994
(1 hour)
41. Professional Postgraduate Services, Genital Herpes, November & December 1994
(3 hours)
42. University of Texas Dental Branch, Houston, Texas, July 1994 – November 1994
(23 hours)
43. The Methodist Hospital Ground Rounds, February, 1994 – February 1995
(48 hours)
44. GERD: Gastroesophageal Reflux Disease, Diagnostic Challenges & Therapeutic Options, February 1, 1995
(1 hour)
45. Peptide Therapy, Index & Reviews, February 1995
(2 hours)
46. Federal Aviation Administration Aeromedical Education, Albuquerque, New Mexico, October 22 – 29, 1995 (18.5 hours)
47. Glucocorticoids & Bone, December, 1994 – June, 1996
(4 hours)

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MEETINGS AND SEMINARS (continued)

48. The Methodist Hospital Grand Rounds, Honoring Retired Internists, October 8 - 9, 1996
49. Physicians World Communications, July 7, 1997
(1 hour)
50. Baylor college of Medicine -- Preceptor, January 7 -- April 7, 1997
(12 hours)
51. FAA -- Aeromedical Education Division, August 12, 1997
(6 Hours)
52. Medical Education Resources, Inc. Meeting The Challenges of Heart Failure, September 3, 1997
(1 hour)
53. Non-Narcotic Analgesics: Renal & GI Considerations, October 1997
(1 hour)
54. USC School of Medicine, Helicobacter Pylori, December 29, 1997
(0.5 hours)
55. The Methodist Hospital Grand Rounds, January 1, - December 31, 1997
(40 hours)
56. Albert Einstein college of Medicine, Managing Hypertension, November 20, 1997
(1 hour)
57. Audio-Digest, January -- December 1997
(54 hours)
58. MER-Improving Hypertension Control, April 16, 1998
(1 hour)
59. The Methodist Hospital Grand Rounds, Honoring Retired Internists, November 4, 1998
(1 hour)

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Stanley J. Zimmerman, M.D.

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MEETINGS AND SEMINARS (continued)

60. The Scientific Exchange, Inc. Current Management of Diabetes Mellitus, Type II, July 13, 1998
(1 hour)
61. The Texas Medical Association, "Care for the Caregiver," Houston, Texas September 3, 1998
(1 hour)
62. Dannemiller Memorial Education Foundation, Management of Chronic Pain: Clinical Considerations in Patients at Risk for Gastropathy, November 12, 1998
(1 hour)
63. Dannemiller Memorial education Foundation, 21st Century Management of Upper Respiratory Allergic Diseases: A Focus on Allergy and Asthma, December 2, 1998
(1 hour)
64. Audio-Digest Foundation, January 1, - December 31, 1998
(44 hours)
65. The Methodist Grand Rounds, January 1 – December 31, 1998
(37 hours)
66. RUSH Medical College, Intensive Therapy for Hypertension: New Approaches, Chicago, Illinois, 1999
(1 hour)
67. Hepatitis Update: Foundations For Managed Care, August 15, 1999
(1 hour)
68. University of Massachusetts Medical School Pharmacological Management of Benign Prostate Hyperplasia, December 20, 1999
(2 hours)
69. Audio-Digest Foundation, January 1 – December 31, 1999
(58 hours)

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MEETINGS AND SEMINARS (continued)

80. RUSH Medical College, Intensive Therapy for Hypertension, New Approaches, Chicago, Illinois,
August 2000
(1 hour)

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Stanley J. Zimmerman, M.D.

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MEETINGS AND SEMINARS (continued)

70. The Methodist Hospital Ground Rounds, January 1 – December 31, 1999
(39 hours)
71. The Methodist Hospital Ground Rounds, January 1 – November 9, 2000
(25 hours)
72. Albert Einstein College of Medicine, January 1 – 11, 2000
(15 hours)
73. Baylor College of Medicine, January 1 – December 31, 2000
(30 hours)
74. Audio-Digest Foundation, Internal Medicine, January 1 – December 31, 2000
(46 hours)
75. Dannemiller Memorial Educational Foundation, Treatment of Gastroesophageal Reflux Disease, June
20, 2000
(2 hours)
76. CME Alliance, Practical Applications of Cardiovascular Evaluations, June 27, 2000
(2 hours)
77. Oakstone Medical Publishing, Practical Reviews Geriatric Medicine, July 2000
(3 hours)
78. American Medical Association, Managing Diabetes: Treatment Issues in Type 2 Diabetes, July 1 –
December 31, 2000
(3 hours)
79. Beam Institute: DVT to Infection, July 1, 2000
(2 hours)

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MEETINGS AND SEMINARS (continued)

89. Albert Einstein College of Medicine, Practical Reviews in Internal Medicine, January 2 – 3, 2001
(8 hours)
90. John Hopkins Medical Institutions, Practical Reviews in Geriatrics, January 4 – 11, 2003
(21 hours)
91. Institute for Continuing Healthcare Education, Cognition and the Aging Female Patient, April 10, 2001
(1 hour)
92. Institute for Continuing Healthcare Education, Advances in the Treatment of Osteoporosis, April 11, 2001
(1 hour)
93. Institute for Continuing Healthcare Education, Breast and Uterine Effects of Selective Estrogen Receptor an Enduring Material, April 11, 2001
(1 hour)
94. Institute for Continuing Healthcare Education, Non-Lipid Effects and Arterial Actions of Ovarian Hormones an Enduring Material, April 11, 2001
(1 hour)
95. Institute for Continuing Healthcare Education, Cardiovascular Concerns in Older Women: A Clinical Overview and Enduring Material, April 11, 2001
(1 hour)
96. Texas Medical Association, Fraud and Abuse Home Study, May 14 - 21, 2001
(4 hours)
97. University of Pennsylvania School of Medicine, Treatment & Management of Alzheimer's Disease, August 2001
(1 hour)

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MEETINGS AND SEMINARS (continued)

98. National Kidney Foundation, Advances in Cardiorenal Therapeutics, September 13, 2001
(1 hour)
99. The Cleveland Clinic Foundation, Journal of Medicine, December 2001
(2 hours)
100. The Texas Medical Association, Medical Ethics & Professionalism, January 27, 2002
(1 hour)
101. The Texas Medical Association, Fraud & Abuse Prevention, February 1 – 22, 2002
(4 hours)
102. New York Medical College, Ischemic Preconditioning & Insulin Secretagogues, March 15, 2002
(1 hour)
103. University of Pennsylvania School of Medicine, Clinical Geriatrics, March 25, 2002
(1 hour)
104. University of Wisconsin – Madison Medical School, Dialogues in Diabetes, Type 2 Diabetes in High-Risk Patients, April 19, 2002 (4 hours)
105. The Endocrine Society, Clinical Control, Anti-Tumor & Anti-Proliferative Effects with Somatostatin Analogue, May 10, 2002 (3 hours)
106. The Cleveland Clinic Foundation, American Osteopathic Association, May 14, 2002
(1 hour)
107. University of Pennsylvania School of Medicine, Clinical geriatrics, May 22, 2002
(14 hours)
108. The New England Journal of Medicine, Bronchiectasis, June 12, 2002 (1 hour)
109. University of Pennsylvania School of Medicine, Clinical Geriatrics, June 14, 2002
(1 hour)
110. Medical Education Resources, Inc., Changing Paradigms of Pain Management: The Evolving Role of Coxibs.
(1 hour)
111. American Association of Geriatric Psychiatry, Behavioral Disturbances and Psychosis in Older Patients: Old Problems, New Strategies
(1 hour)

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Stanley J. Zimmerman, M.D.

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MEETINGS AND SEMINARS (continued)

112. Medical Education Resources, Inc., Medical Management of Heart Failure in the Elderly: Clinical Evidence and Practical Concerns.
(1 hour)
113. St. Luke's Episcopal Hospital, Stem Cell Research: Ethical Concerns and Medical Advances, September 10, 2002
(1 hour)
114. University of Wisconsin-Madison Medical School, Management of Drug-Induced Weight Gain, September 17, 2002.
Physician's Recognition Award (2.5 hrs.) Continuing Education (2.5hrs.)
115. American Association for Geriatric Psychiatry, Successful Strategies in the Management of Dementia, September 23, 2002.
(1 hour)
116. American Association for Geriatric Psychiatry, Advances in the Understanding and Treatment of Geriatric Mental Disorders, September 24, 2002.
(1 hour)
117. International Center for Postgraduate Medical Education, The Evolving World of Respiratory Infections: Where Do the Ketolides Fit?, October 3, 2002.
(1 hour)
118. Medical Education Resources, Medical Management of Heart Failure in the Elderly: Clinical Evidence and Practical Concerns: December 23, 2002.
(1 hour)
119. Medical Education Group LLC, The Complex Pathophysiology of Type 2 Diabetes Mellitus: Implications for Improving Therapy. August 16, 2002
(1 hour)
120. American Academy of Pain Management: Standards of Practice / Ethics of Care, Certificate Number 1928- 12/27/2002 – 12/27/2006
(Ethics)

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Stanley J. Zimmerman, M.D.

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MEETINGS AND SEMINARS (continued)

121. John Hopkins: Practical Reviews in Internal Medicine-

	Volume	Issue	Credit	Date	Expires
Ethics	36	12	4.00	03/02	
	36	9	4.00	01/18/2002	08/30/2003
	36	11	4.00	01/18/2002	10/30/2003
	37	02	4.00	01/30/2002	12/30/2003
	37	03	4.00	02/22/2002	01/30/2004
	37	04	4.00	03/15/2002	02/28/2004
	37	05	4.00	11/20/2002	03/30/2004
	37	06	4.00	05/23/2002	04/30/2004
	37	07	4.00	11/30/2002	05/30/2004
	37	08	4.00	07/16/2002	06/30/2004
	37	09	4.00	08/15/2002	07/30/2004
	37	10	4.00	09/06/2002	07/30/2004
	37	11	4.00	10/08/2002	08/30/2004

122. The Page and William Black Post Graduate School, Geriatrics Journal 2002, "Infectious Disease: Update on Treatment of Pneumonia, Influenza, and Urinary Tract Infections."

(1 hour)

123. Duke School of Medicine: Practical Reviews in Internal Medicine-

	Volume	Issue	Credit	Date	Expires
Ethics	02	10	3.00	12/2001	

124. Albert Einstein College of Medicine: Practical Review in Geriatric Medicine

	Volume	Issue	Credit	Date	Expires
	01	05	3.00	02/2002	

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Stanley J. Zimmerman, M.D.

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MEETINGS AND SEMINARS (continued)

125. Johns Hopkins Medical Institutions: Practical Review in Geriatrics

Volume	Issue	Credit	Date	Expires
02	09	3.00	01/30/2002	10/30/2003
02	11	3.00	12/28/2001	11/30/2003
02	12	3.00	02/13/2002	12/30/2003
03	01	3.00	04/23/2002	01/30/2004
03	02	3.00	03/28/2002	02/28/2004
03	03	3.00	04/12/2002	03/30/2004
03	04	3.00	05/31/2002	04/30/2004
03	06	3.00	08/05/2002	06/30/2004
03	07	3.00	08/28/2002	07/30/2004
03	08	3.00	09/19/2002	08/30/2004
03	09	3.00	10/10/2002	09/30/2004

**126. Texas Academy of Family Physicians "Current Strategies for the Management of Asthma"
(1 hour)**

127. Audio Digest Foundation: CME credits 2002

Internal Medicine	50.00 Hours	Category 1
Audio Digest Special Topics	8.00 Hours	Category 1

128. The American College of Physicians

American Board of Internal Medicine Recertification/Continuous Professional Development

Module	Credit	Date
Outpatient Internal Medicine SEP Module 87-F	18	06/19/2003
Geriatric Medicine SEP Module 11-B	18	05/07/2003
Geriatric Medicine SEP Module 11-A	18	03/24/2003

CURRICULUM VITAE**Stanley J. Zimmerman, M.D.****Page 18.****MEETINGS AND SEMINARS (continued)**

129.	Audio Digest Foundation:		CME Credits 2003		
	Internal Medicine		26.00	Hours	Category 1
	Volume	Issue	Credit	Date	Expires
	50	01	1	02/05/2003	
	50	02	1	03/18/2003	
	50	03	1	02/25/2003	
	50	04	1	04/09/2003	
	50	05	1	04/21/2003	
	50	06	1	04/25/2003	
	50	07	1	05/14/2003	
	50	08	1	05/29/2003	
	50	09	1	06/10/2003	
	50	10	1	06/05/2003	
	50	11	1	06/18/2003	
	50	12	1	07/17/2003	
	50	13	1	07/08/2003	
	50	14	1	09/22/2003	
	50	15	1	08/27/2003	
	50	16	1	09/30/2003	
	50	17	1	09/16/2003	
	50	18	1	10/07/2003	
	50	20	1	10/24/2003	
	50	21	1	11/18/2003	
	50	22	1	11/21/2003	
	50	23	1	12/19/2003	
	50	24	1	12/31/2003	

CURRICULUM VITAE

Stanley J. Zimmerman, M.D.

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130. Johns Hopkins Medical Institutions: Practical Reviews in Geriatrics

Volume	Issue	Credit	Date	Expires
03	12	3	04/29/2003	11/30/2004
04	01	3	01/31/2003	12/31/2004
04	02	3	03/27/2003	01/31/2005
04	03	3	03/25/2003	02/28/2003
04	04	3	05/05/2003	03/31/2003
04	05	3	08/01/2003	04/30/2003
04	06	3	06/30/2003	05/31/2003

**131. Medical Education Resources, Inc.: "Diagnosis and Management of Anemia in Long Term Care."
September 15, 2003**

(1 hour)

**132. Dannemiller Memorial Educational Foundation "Meeting Reporter AUA 2003" September 29,
2003**

(1 Hour)

133. TMLT, "Medication Errors-A Leading cause of medical liability claims, January 9, 2004

(1 hour)

**134. John Hopkins University School of Medicine, Clinical Geriatrics: Diagnosis and Management of
Fungal Infections in Older Adults, September 1, 2003**

(1 hour)

135. Thomson American Health Consultants, Infectious Disease Update 2003, March 28, 2003

(10 hours)

**136. The INNOVIA Education Institute, The Stroke Time:Controlling High Blood Pressure in Elderly,
Summer 2003.**

(1 hour)

137. UMDNJ, Hypothyroidism Forum Report: Issues on Hypothyroidism, January 31, 2003

(1 hour)

**138. American Association of Clinical Endocrinologists, 2001 Self-Assessment Profile in
Endocrinology and Metabolism, December 3, 2001**

(50 hours)

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Stanley J. Zimmerman, M.D.

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140. The University of Texas Southern Medical Center at Dallas
"Osteoporosis Insight 2003/2004 Newsletter Series: November Newsletter Issue 2, May 12, 2004
(1 hour)
141. The Page and William Black Post-Graduate School
"Clinical Challenges in Geriatric Cardiology: The Heart-Heart Disease in Older Women: Gender Differences Affect Diagnosis and Treatment – December 1 – December 31, 2003
(1 hour) Toward Physician's Recognition Award
142. Baylor College of Medicine
Longitudinal Ambulatory Care Experience, LACE Program
143. Medical Education Resources, Inc. "Postherpetic Neuralgia in the Elderly" June 29, 2004
(1 hour) Category 1 toward AMA PRA
144. Johns Hopkins University: Clinical Geriatrics: Update on Treatment for Alzheimer's Disease-Part II: Management of Noncognitive, Psychiatric, and Behavioral Complications, January 20, 2004
(1 hour)
145. Albert Einstein College of Medicine: Update: Guidelines for the use of Orexigenic Drugs in Long-term Care, July 19, 2004
(1 hour)
146. University of Rochester: Pharm TX Chronic Pain in Elderly: PT0404, 08/16/2004
(Credit 1)
147. The Cleveland Journal of Medicine: September 18, 2004,
(Credit 1.5)
148. University of Florida: Post –ALLHAT: Evaluating the Difference Between Dihydropyridine Calcium Channel Blockers, August 3, 2004:
(Credit 1)
149. Texas Academy of Family Physicians – Speaker, October 30, 2004 – Erectile Dysfunction
150. The Cleveland Clinic Journal of Medicine – October 2004 – American Osteopathic Association
(Credit 1.5) Category 2
151. Johns Hopkins Medicine – December 2004 – An Algorithm for Managing Type 2 Diabetes: A Focus on the Disease Process, Not Just the Sugar (Credit 1.0)
152. Johns Hopkins Medicine – October 2004 – Clinical Geriatrics: Evaluation and Treatment of Depression in Patients with Cognitive Impairment (Enduring Material) (Credit 1)

153. North American Center for Continuing Medical Education – Nutrition and Chronic Wounds-
November 2004 (Credit 1)

154.	Audio Digest Foundation:		CME Credits 2004		
	Internal Medicine		48.00	Hours	Category 1
	Volume	Issue	Credit	Date	Expires
	50	19	1	06/29/2004	
	51	01	1	02/04/2004	
	51	02	1	02/04/2004	
	51	03	1	02/18/2004	
	51	04	1	03/02/2004	
	51	05	1	03/23/2004	
	51	06	1	03/23/2004	
	51	07	1	04/29/2004	
	51	08	1	06/07/2004	
	51	09	1	05/12/2004	
	51	10	1	06/21/2004	
	51	11	1	06/22/2004	
	51	12	1	06/30/2004	
	51	13	1	07/26/2004	
	51	14	1	08/13/2004	
	51	15	1	08/13/2004	
	51	16	1	09/09/2004	
	51	18	1	10/11/2004	
	51	19	1	10/14/2004	
	51	20	1	11/09/2004	
	51	21	1	11/24/2004	
	51	22	1	11/30/2004	
	51	23	1	12/30/2004	
	08	02	2	05/31/2004 (Special Topics)	

CURRICULUM VITAE

Stanley J. Zimmerman, M.D.

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155. The Cleveland Journal of Medicine: January 2004
(Credit 1.5)
156. University of Wisconsin Medical School: "Type II Diabetes in High-Risk Patients: The Asian American and Pacific Islander Populations." February 2004
(Credit 2)
157. National Foundation for Infectious Diseases: "Current and Future Antibiotics for Treatment of Resistant Gram-Positive Infections." March 2004
(Credit 1)
158. Medical Education Resources, Inc.: "Optimizing Care Management Plans Across the Spectrum of Alzheimer's Disease." April 2004
(Credit 1 – Category 2A)
159. Johns Hopkins: "Clinical Geriatrics: Anti-Ischemic Effects of ACE Inhibitors in Elderly (Enduring Material)." March 2004
(Credit 1)
160. Cedars-Sinai Medical Center: "The Downward Spiral of Vertebral Osteoporosis"
(Credit 1)
161. Johns Hopkins: "Clinical Geriatrics: Nutrition, Aging, and Infection February 2004
(Credit 1)
162. St. Luke's Episcopal Hospital: Corporate Compliance Training, April 2004
(Credit 1)
163. Postgraduate Institute for Medicine: "Today's Approach to the Diagnosis and Management of COPD" March 2004
(Credit 1)
164. University of Kentucky: "Depression and Delirium at End of Life" June 2004
(Credit 1)
165. Johns Hopkins: "Clinical Geriatrics: Aging with Diabetes – An Underappreciated Cause of Progressive Disability and Reduced Quality of Life" September 2004
(Credit 1)
166. Johns Hopkins: "Clinical Geriatrics: Type 2 Diabetes Management in Older Adults" May 2004
(Credit 1)

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167. Page and William Black Post-Graduate School: "Inflammatory Arthropathy: A Review of Rheumatoid Arthritis in Older Patients" October 2004
(Credit 1)
168. NACME: "Nutrition and Chronic Wounds" November 2004
(Credit 1)
169. University of Wisconsin-Madison Medical School- "Implications for Preventing Cardiovascular Disease in Type 2 Diabetes."
(Credit 2)
170. Page and Williams Black Post-Graduate School: "Heart Disease in Older Women: Gender Difference Affect Diagnosis & Treatment" December 2004
(Credit 1)
171. UMDJN: "The Alzheimer's Disease Continuum: An Exchange of Diagnosis and Treatment Strategies." September 2004
(Credit 1.75)
172. The Cleveland Clinic Journal of Medicine: February 2005
(Credit 1.5)
173. Baylor College of Medicine: "Treatment Options for Type 2 Diabetes When Oral Therapies are No Longer Adequate" November 2004
(Credit 1)
174. University of Kentucky: "Preventing Outbreaks of Clostridium Difficile-Associated Diarrhea in LTC Facilities" April 2005
(Credit 1)
175. Johns Hopkins: "Clinical Geriatrics: Management of Urinary Incontinence in the Older Female Patient" January 2005
(Credit 1)
176. CAHE: "A Clinical Guide to Managing Diabetic Microvascular Complications" April 2005
(Credit 1)
177. The Cleveland Journal of Medicine: April 2005
(Credit 1.5)
178. Postgraduate Institute of Medicine: "New Advances in COPD Management: Long-Acting Anticholinergic Agent Maintenance Therapy" March 2005
(Credit 1)

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Stanley J. Zimmerman, M.D.

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178. ACCESS Medical Group: "Atherogenesis Dyslipidemia and Vascular Inflammation: The Role of Peroxisome Proliferator-Activated Receptor and Activation" April 2005
(Credit 1)
179. CAHE: "A Clinical Guide to Managing Diabetic Microvascular Complications" April 2005
(Credit 2.5)
180. Albert Einstein College of Medicine: "Insomnia Management" May 20, 2005
(Credit 1)
181. Johns Hopkins: "Getting to Goal: Effective Control of Hypertension" June 2005
(Credit 2)
182. Johns Hopkins: "Conquering the Ravages of Metabolic Syndrome" June 2005
(Credit 2)
183. Armed Forces Institute of Pathology: Quality Assurance/Risk Management, June 2005
(Credit 5)
184. The Cleveland Clinic Journal of Medicine: July 2005
(Credit 1.5)
185. American Geriatrics Society: Uncontrollable Laughter or Crying in Geriatric Patients with Neurodegenerative Diseases or Stroke: Pseudobulbar Affect (PBA)
(Credit 1)
186. The Chatham Institute: "Fixed Dose Combination Therapy in Managing Hypertension: The Key to Clinical Success" December 2004
(Credit .5)

DIEGO DEMAYA

10462 Tenneco Drive – Houston, TX 77099 – (713) 301-8537 – E-Mail:

EDUCATION

City University of New York School of Law, New York, NY
J.D., January 2000 – 3.6 GPA

University of Houston-Downtown, Houston, TX
B.S. Professional Writing, 1996
B.A. Humanities, 1996

Honors: Dean's List

Activities: Public Relations & National Competition Director, Students in Free Enterprise, Inc. (SIFE) (1993-95): organized 200+ student marketing course projects benefiting the Houston community and SIFE mentor program for children in middle school. Received award for professional organization and presentation of chapter overall accomplishments at national competition. Competed and won top honorary cash prizes for local SIFE chapter.

PROFESSIONAL EXPERIENCE

DISABILITY AND BUSINESS TECHNICAL ASSISTANCE CENTER (DBTAC)
DISABILITY LAW RESOURCE PROJECT (DLRP) at ILRU

Legal Specialist

6/2003 - present

Providing technical assistance, consulting, and training related to the various disability antidiscrimination laws, including the ADA, FHA, Section 504, the IDEA, the FMLA and others. Providing counseling and research assistance to professionals from various fields, including attorneys, judges, city council members, Federal congressional representatives, city inspectors, architects and engineers, social workers, physicians, human resource professionals, business owners and others. Conducting advanced research into issues and applicable law, and writing and presenting oral and written responses to inquiries submitted through DLRP web site, e-mail, correspondence, and telephone hotline. Excellent performance record as based on responses by consumers of DLRP/DBTAC services.

CONSULTING & ADMINISTRATIVE SERVICES – Houston, TX – New York, NY – Union City, NJ

Administrative and Technical Consulting

1/2000 – 6/2003

Provided counseling, administrative services, referral and technical assistance to individuals and professionals on benefits, wellness programs, employee reasonable accommodation, and FMLA-ADA issues. Consulting with VR and HR professionals on employee policies and on how to work with clients from diverse backgrounds. I served a unique function as an independent consultant who was not connected to any firm or associated with any State or Federal agency. This work included making live presentations, making written reports, and devising specialized language used in correspondence by professionals and lay persons conducting complex transactions in the areas mentioned.

ADVOCACY INCORPORATED, Houston, TX

Law Clerk

Summer 1999

Assisted Managing Attorney with client interviews and researched issues in disability, housing and constitutional law with statutory, regulation and policy analysis. Wrote memoranda of law dealing with federal housing, attorney's fees, judicial immunity and Eleventh Amendment bars. Assisted with agency inspection of juvenile detention and processing center as well as interviewing inmates to investigate potential regulatory and statutory violations.

MAIN STREET LEGAL SERVICES, INC. New York, NY

Law Office Clinic Intern

8/1998-5/1999

Represented clients in guardianship filings and drafting petitions to the New York Surrogate's Court. Worked on Estate Planning writing Wills, Health Care Directives and Powers of Attorney. Advised clients on disability, estate planning, and immigration issues. Responsible for evaluation of incoming cases, case file management, and organization.

Immigration Clinic Intern (1/1998-5/1998): Represented naturalized citizens and permanent residents in immigration and social security issues. Responsible for case file management and client counseling. Informed advocacy organizations on INS and client related issues.

TAPING FOR THE BLIND INC., RADIO DIVISION, Houston, TX

Director

1/1994-1/1995

Elected member of Board of Directors while attending college. Worked on financial development, staff and organizational planning. Made live marketing presentations. Worked on grants and proposals for funding. Conducted staff recruitment, training, and evaluation. Drafted mission statements and devised program missions and policy. Served as liaison for community relations and outreach. Made public presentations to agencies and corporations for fundraising and recruitment of volunteers and staff. Received award and recognition for outstanding volunteer work and contributions.

Volunteer Trainer (1/90-1/95): Conducted public presentations for volunteer recruitment and to encourage financial giving. Trained new volunteers and new paid staff on a weekly basis. Worked closely with staff and volunteers to form effective teams and improve participation and productivity. Devised examinations to evaluate new volunteers and job applicants for reading comprehension and job or assignment related skills. Received award and recognition for outstanding volunteer work and dedication to the attraction, recruitment, and retention of volunteer human capital.

Station Manager

3/1988-12/1990

Full responsibility over broadcast operations, program development, and staff of four part-time clerks. Organized and executed radio promotions, marketing, and financial planning objectives. Administrative responsibility over Radio Division's 200+ combined volunteer and paid staff. Evaluated staff and volunteer individual performance and implemented programs to improve training and volunteer motivation. Prioritized and monitored staff and volunteer efforts for completeness and accuracy. Coordinated the activities of Radio and Special Services Divisions to achieve effective overlapping project objectives and conclusion. Conducted public outreach presentations to promote services, recruit staff, and raise funds. Assisted Executive Director with financial projections and grant administration. Expanded on-air programming from 18 to 24 hour schedule and improved program quality gaining approval market rating of 82 percent from a potential radio audience of one million listeners. Wrote and edited staff training manual for use by management and volunteer coordinators.

BIOGRAPHICAL INFORMATION

Race: White

Citizenship: United States Citizen

Hobbies & Projects: Classical and Bass Guitar; Design, Testing and Review of Home Theater Hi-Fi Audio Systems as Consultant

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA #

SUBJECT: Designation and modification of residential parking permit areas and related parking regulations in the Super Neighborhoods of University Place, Neartown-Montrose, and Upper Kirby / Greenway Area

Category #

Page 1 of 1

Agenda Item# 4

FROM: (Department or other point of origin):

Department of Planning and Development

Origination Date

June 30, 2006

Agenda Date

JUL 26 2006

DIRECTOR'S SIGNATURE:

MSB *Marlene R. Gafrick*

Council Districts affected:

C, D

For additional information contact:

Marlene Gafrick

Phone: 837-7760

Jason Jeffries

Phone: 837-7813

Date and identification of prior authorizing

Council Action: August 14, 2001, 2001-0759
February 27, 2002, CM2002-0237

RECOMMENDATION: (Summary)

That City Council adopt a motion authorizing the designation of four residential parking permit areas and related parking regulations in the Super Neighborhoods of University Place, Neartown-Montrose, and Upper Kirby / Greenway Area; and amend the parking regulations for an existing permit area.

Amount of Funding:

Not Applicable

F & A Budget:

SOURCE OF FUNDING:

☐ General Fund

☐ Grant Fund

☐ Enterprise Fund

☐ Other (Specify)

SPECIFIC EXPLANATION:

In August 2001, City Council approved amendments to Chapter 45 of the Code of Ordinances authorizing the designation of residential parking permit areas in neighborhoods where excessive commuter parking is deemed a problem for residents. To date, 63 permit areas have been designated.

It is recommended that the following four (4) proposed areas be designated residential parking permit areas, where on-street parking at the respective times of day and days of the week specified in the attachment will require a valid permit. Planning and Development, Convention and Entertainment (Parking Management), and Public Works and Engineering (Traffic Engineering Branch) reviewed the four applications. The required public hearing was held on June 27, 2006, and all outstanding issues have been satisfactorily resolved.

The findings and related regulations for each proposed area are attached.

- 1900 block of West McKinney, both sides
- 2200 block of Southgate, both sides
- 2300 block of Dorrington, both sides
- 4000 – 4100 block of Norfolk, both sides

It is also recommended that the regulations for the 5500 block of Ashby be modified to be extended. The permit area was designated by City Council on February 27, 2002.

The designation will be effective 60 days after passage of the motion, during which time the City will notify residents of on-street parking regulations, post signs and review resident vehicle parking permit applications. Parking Management will issue permits within the permit areas and, after 60 days, enforce the posted parking regulations.

The maps attached show the proposed locations and previously approved areas in the vicinity, if any.

cc: Marty Stein, Agenda Director
Anna Russell, City Secretary
Arturo Michel, City Attorney

T. Rebagay, Public Works (Traffic Engineering)
Paul Dugas, MCA (Parking Management)

Designation of Residential Parking Permit Areas: Findings

Application 091905-24-0089

Permit Area and Restrictions Proposed by Applicant:

1900 block of West McKinney, between Taft and Stanford, proposed restrictions on both sides from 6am to 2am, Monday through Sunday

Findings:

Testimony from Parking Management based on a parking survey recently conducted, Public Works – Traffic Engineering Branch, and the public at the 6/27/05 hearing leads the Planning Official to find:

- The parking problem exists between the hours of 5pm and 2am, Monday through Sunday.
- More than 60% of 24 available parking spots were occupied. More than 25% of cars parked curbside were commuter vehicles generated from a nearby restaurant.
- Existing “No Parking” restrictions on the south side of the street (between Taft and Temple) results in no on-street parking for residents; these restrictions were enacted to mitigate effects of commuter parking from the nearby restaurant. The “No Parking” signs were installed by PWE as a temporary measure until the decal parking is in place.
- Excessive commuter parking on the block creates traffic congestion and reduces safety and residential quality.
- Neighborhood support is demonstrated by 74% of residents (out of 39 households affected) signing the petition in favor of the permit area; 8% opposed on the petition and oral testimony was received at the 6/5/03 hearing.
 - One opponent of the proposed area said that recently installed signs were effectively resolving the congestion created by the commuter parking.
 - An opponent of the proposed area at the hearing was a new resident since the petition was circulated.
 - An owner of several rental properties (non-resident) opposed the permit area.
- Designating a parking permit area is the most cost-effective way to resolve the parking problems.

Planning Official Recommendation:

Designate a Residential Parking Permit Area on both sides of the 1900 block of West McKinney with regulations requiring a valid residential parking permit to park curbside from 5pm to 2am, Monday through Sunday.

Designation of Residential Parking Permit Areas: Findings

Application 111805-28-0091

Permit Area and Restrictions Proposed by Applicant:

2200 block of Southgate, between Greenbriar and Montclair, proposed restrictions from 8am to 3pm on Monday through Friday.

Findings:

Testimony from Parking Management based on a parking survey recently conducted, Public Works - Traffic Engineering Branch, and the public at the 6/27/06 hearing leads the Planning Official to find:

- The parking problem exists between the hours of 9 am and 4 pm, Monday through Friday.
- More than 60% of 13 available parking spots were occupied. More than 25% of cars parked curbside were commuter vehicles apparently generated from Texas Medical Center.
- Excessive commuter parking on the block creates traffic congestion and reduces safety and residential quality.
- Neighborhood support is demonstrated by 85% of residents (out of 20 households affected) signing the petition in favor of the permit area; 15% opposed the permit area.
- The parking restriction times are consistent with other blocks affected by commuter parking from Texas Medical Center.
- Designating a parking permit area is the most cost-effective way to resolve the parking problem.

Planning Official Recommendation:

Designate a Residential Parking Permit Area on the 2200 block of Southgate with regulations requiring a valid residential parking permit to park curbside from 9 am to 4 pm, Monday through Friday.

Designation of Residential Parking Permit Areas: Findings

Application 032006-28-0095

Permit Area and Restrictions Proposed by Applicant:

2300 block of Dorrington, between Morningside and Greenbriar, proposed restrictions from 9am to 4pm on Monday through Friday.

Findings:

Testimony from Parking Management based on a parking survey recently conducted, Public Works - Traffic Engineering Branch, and the public at the 6/27/06 hearing leads the Planning Official to find:

- The parking problem exists between the hours of 9 am and 4 pm, Monday through Friday.
- More than 60% of 18 available parking spots were occupied. More than 25% of cars parked curbside were commuter vehicles apparently generated from Texas Medical Center.
- Existing “No Parking” restrictions on the south side of the street results in no on-street parking for residents; these restrictions were enacted to mitigate effects of commuter parking from Texas Medical Center.
- Excessive commuter parking on the block creates traffic congestion and reduces safety and residential quality.
- Neighborhood support is demonstrated by 88% of residents (out of 24 households affected) signing the petition in favor of the permit area; none opposing the permit area on the petition, and oral testimony was received at the 6/27/06 hearing.
 - One opponent (non-resident) of the proposed area said that street is not primarily residential.
 - Field check by Planning staff and review of HCAD records verified that the street is currently primarily residential.
- The parking restriction times are consistent with other blocks affected by commuter parking from Texas Medical Center.
- Designating a parking permit area is the most cost-effective way to resolve the parking problem.

Planning Official Recommendation:

Designate a Residential Parking Permit Area on the 2300 block of Dorrington with regulations requiring a valid residential parking permit to park curbside from 9 am to 4 pm, Monday through Friday.

Designation of Residential Parking Permit Areas: Findings

Application 032306-87-0093

Permit Area and Restrictions Proposed by Applicant:

4000 – 4100 block of Norfolk, between Wesleyan and Las Palmas, proposed restrictions from 10am to 2am on Monday through Sunday.

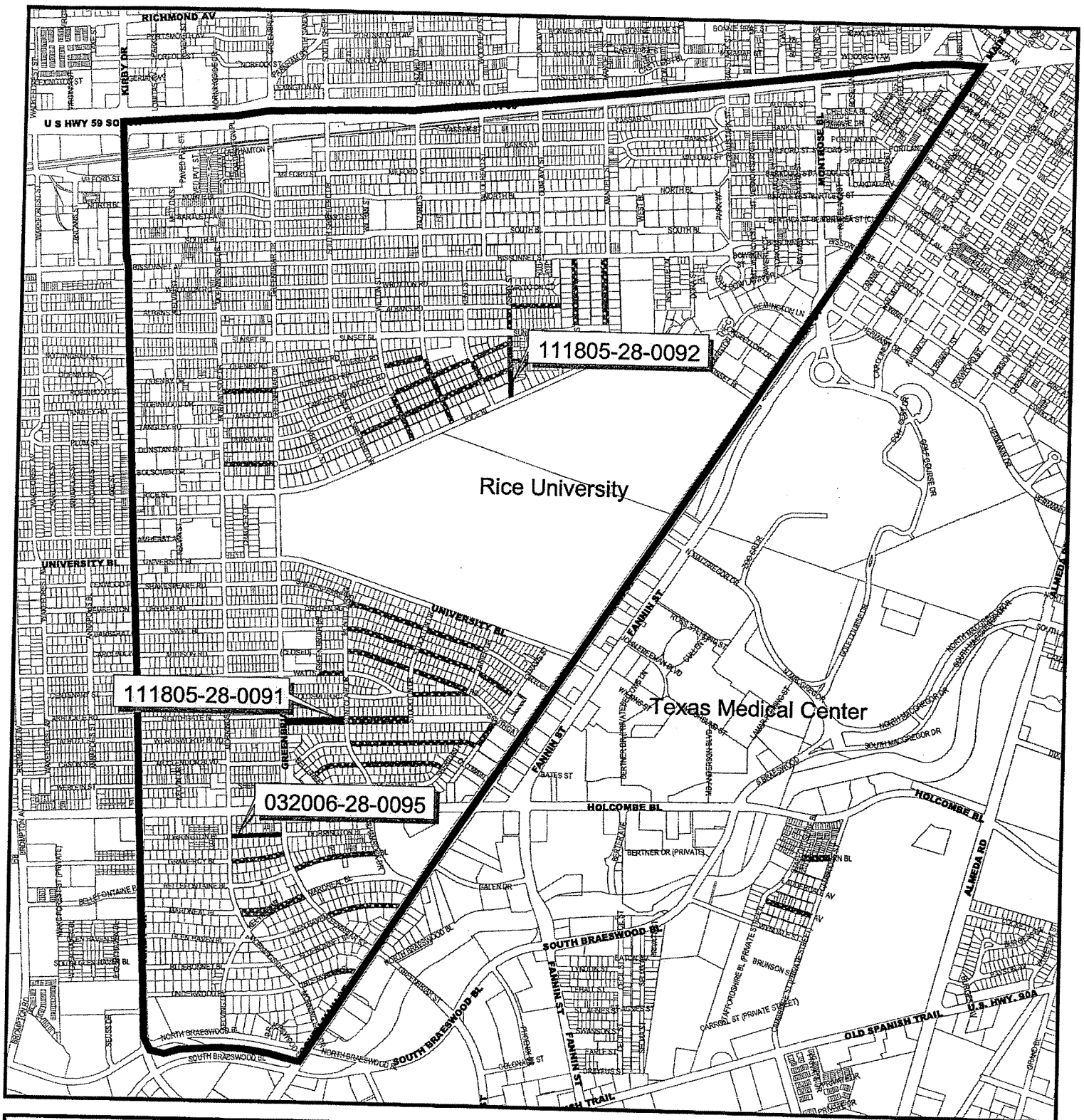
Findings:

Testimony from Parking Management based on a parking survey recently conducted, Public Works - Traffic Engineering Branch, and the public at the 6/27/06 hearing leads the Planning Official to find:

- The parking problem exists between the hours of 10 am and 2 am, Monday through Sunday.
- More than 60% of 36 available parking spots were occupied. More than 25% of cars parked curbside were commuter vehicles apparently generated from a local theater and medical center.
- Excessive commuter parking on the block creates traffic congestion and reduces safety and residential quality.
- Neighborhood support is demonstrated by 100% of residents (out of 26 households affected) signing the petition in favor of the permit area; none opposed the permit area.
- Designating a parking permit area is the most cost-effective way to resolve the parking problem.

Planning Official Recommendation:

Designate a Residential Parking Permit Area on the 4000 - 4100 block of Norfolk with regulations requiring a valid residential parking permit to park curbside from 10 am to 2 am, Monday through Sunday.



Residential Parking Permit Areas: University Place

Proposed Areas

111805-28-0091: 2200 block of Southgate

111805-28-0092: 5500 block of Ashby

032006-28-0095: 2300 block of Dorrington



Existing Areas



University Place Super Neighborhood (SN #28)

Attachment 2

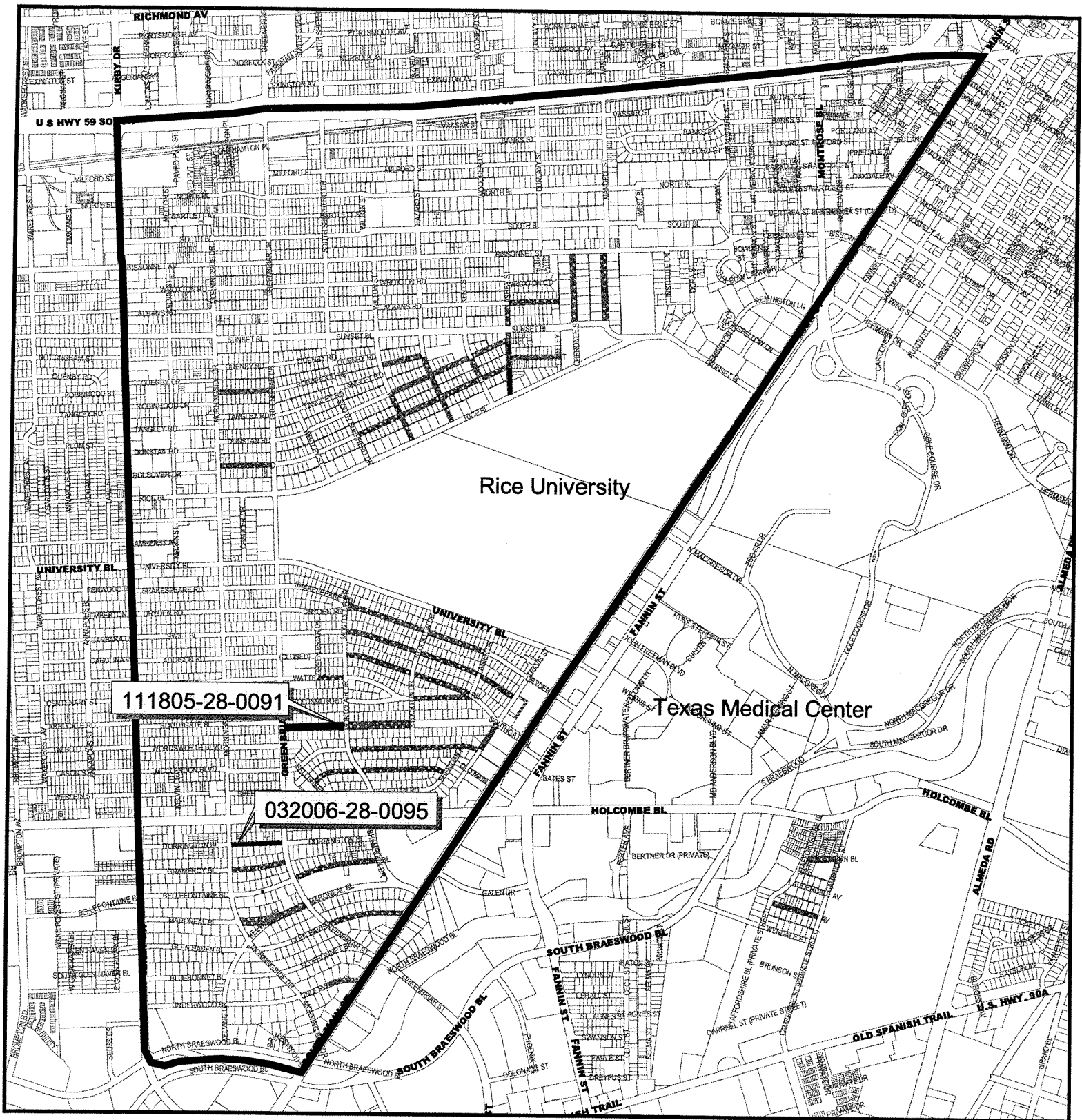


The COHRS data represents the best information available to the city. The city does not warrant its accuracy or completeness. Field verifications should be done as necessary.




0.1 0 0.1 Miles

June 30, 2006



Residential Parking Permit Areas: University Place

 Proposed Areas

111805-28-0091: 2200 block of Southgate

032006-28-0095: 2300 block of Dorrington



Existing Areas



University Place Super Neighborhood (SN #28)

Attachment 2



PLANNING & DEVELOPMENT
DEPARTMENT
Neighborhood Services Division

The COGIS data represents the best information available to the city. The city does not warrant its accuracy or completeness. Field verifications should be done as necessary.

June 30, 2006



0.1 0 0.1 Miles





Residential Parking Permit Areas: Greenway / Upper Kirby Area and Afton Oaks / River Oaks Area

Proposed Areas

Existing Areas

032306-87-0097: 4000 - 4100 block of Norfolk

Attachment 4



The COHRS data represents the best information available to the city. The city does not warrant its accuracy or completeness. Field verifications should be done as necessary.

0.1 0 0.1 Miles



June 30, 2006

Designation of Residential Parking Permit Areas: Findings

Application 111805-28-0092

Permit Area and Restrictions Proposed by Applicant:

5500 block of Ashby, between Rice and Bolsover, proposed restrictions from 9am to 9pm on Monday through Sunday.

Findings:

Testimony from Parking Management based on a parking survey recently conducted, Public Works - Traffic Engineering Branch, and the public at the 6/27/06 hearing leads the Planning Official to find:

- Residents are requesting to extend restricted period of an existing residential parking permit area on both sides of the 5500 block of Ashby because the current restrictions (Monday through Friday, 9 am and 4 pm) are insufficient to address the commuter parking problem.
- The original request and petition was filed December 14, 2001 by a resident for both sides of the block. The original request was for Monday – Friday 9 am – 4 pm.
- Notice of the proposed permit area on both sides and public hearing held January 8, 2002 was sent to all residents and non -residential property owners adjacent to both sides of the street. There was no opposition to the permit area. The commuter parking problem was described by residents as being from students attending daytime classes at Rice University. Existing “No Parking” restrictions resulted in no on-street parking for residents.
- The planning official recommended parking restrictions of Monday through Friday, 9 am to 4 pm. City Council approved the permit area on February 27, 2002.
- Neighborhood support is demonstrated by 90% of residents (out of 8 households affected) signing the petition in favor of extending the restriction hours; none opposed on the petition and oral testimony received at the 6/27/06 hearing.
- The parking problem exists between the hours of 9 am and 9 pm, Mon. through Fri.
- More than 60% of 11 available parking spots were occupied. More than 25% of cars parked curbside were commuter vehicles apparently generated from Rice University.
- Parking surveys conducted did not confirm a parking problem on Saturday or Sunday.
- Excessive commuter parking on the block creates traffic congestion and reduces safety and residential quality.
- Designating a parking permit area is the most cost-effective way to resolve the parking problems.

Planning Official Recommendation:

Extend the timing of the previously approved Residential Parking Permit Area on the both sides of the 5500 block of Ashby with regulations requiring a valid residential parking permit to park curbside from 9 am to 9 pm, Monday through Friday.

MOTION NO. 2002 0237

MOTION by Council Member Quan that the recommendation of the Director of the Planning and Development Department, for the designation of nine residential parking permit areas and related parking regulations, be adopted, and the following nine areas are hereby designated residential parking permit areas where on-street parking at the respective times of day and days of the week specified in the attachment will require a valid permit:

1800 block of Bolsover
1800 block of Dunstan
1900 block of Bolsover
1700 block of Bolsover
2000 block of McClendon
2100 block of Dryden
2100 block of Swift
5400 block of Ashby
5500 block of Ashby

Seconded by Council Member Vasquez and carried.

Mayor Brown, Council Members Tatro, Galloway,
Goldberg, Edwards, Wiseman, Ellis, Keller, Vasquez,
Alvarado, Parker, Quan, Sekula-Rodriguez, Berry and
Robinson voting aye
Nays none

PASSED AND ADOPTED this 27th day of February, 2002.

Pursuant to Article VI, Section 6 of the City Charter, the
effective date of the foregoing motion is March 5, 2002.



City Secretary

Approved by Motion 021-229

Designation of Residential Parking Permit Areas: Findings of Fact

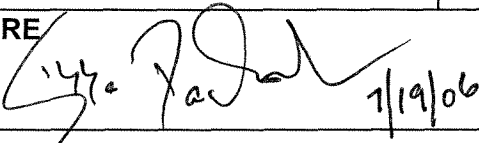



Application 121401-28-0009

5500 block of Ashby, between Sunset and Bolsover, proposed restrictions from 9am to 4pm on Monday through Friday.

Testimony from Parking Management, Public Works - Traffic Management & Maintenance, and the public at the 1/8/02 hearing leads the Planning Official to find:

- The parking problem exists between the hours of 9am and 4pm, Monday through Friday.
- Existing "No Parking" restrictions result in no on-street parking for residents; these restrictions were enacted to mitigate effects from commuter parking generated from Rice University, including traffic congestion, reduced safety and residential quality of the block.
- A parking survey was not required because of existing "No Parking" restrictions for the block.
- Neighborhood support is demonstrated by 75% of residents (out of 8 households affected) signing the petition in favor of the permit area and no negative public comments received.
- The posting of a parking permit area is the most cost-effective manner to resolve the parking problem.

Recommendation: Designate a Residential Parking Permit Area on both sides of the 5500 block of Ashby with regulations requiring a valid residential parking permit to park curbside from 9am to 4pm, Monday through Friday.

SUBJECT: Accept Work – Downtown Fire Station No. 8. Pavement Removal, Soil Remediation and Disposal. Columbia Environmental Services, Inc. Outline Agreement No. 4600004164 GFS No. C-0149-03-5		Category 1 & 7	Page 1 of 1	Agenda Item 5
FROM (Department or other point of origin): Building Services Department		Origination Date 7-19-06	Agenda Date JUL 26 2006	
DIRECTOR'S SIGNATURE Issa Z. Dadoush, P.E.  7/19/06		Council District(s) affected: I		
For additional information contact: Jacquelyn L. Nisby  Phone: 713- 247-1814		Date and identification of prior authorizing Council action: Ordinance: 06-0075; 01/25/06 Motion 2006-0309; 04/19/06		
RECOMMENDATION: Pass a motion approving the final contract amount of \$326,351.41, accept the work and authorize final payment.				
Amount and Source Of Funding: No Additional Funding Required			F & A Budget:	
Previous Funding: \$ 350,622.66 Fire Consolidated Fund (4500)				
SPECIFIC EXPLANATION: The Building Services Department recommends that City Council approve the final contract amount of \$326,351.41, or 52.90% over the original contract amount, accept the work and authorize final payment to Columbia Environmental Services, Inc.				
PROJECT LOCATION: Block bounded by Louisiana, Milam, Pierce Streets and St. Joseph Parkway. Houston, Texas (Key Map 493-P,Q)				
PROJECT DESCRIPTION: The scope of work consisted of pavement removal, excavation of contaminated material from the basement, excavation and disposal of basement concrete structure, backfilling and compaction, waste classification, loading, hauling and proper disposal of excavated material.				
CONTRACT COMPLETION AND COST: The contractor completed the work within the contract time, plus 50 additional days allowed by Change Orders 1 - 3. The final cost of the project, including Change Orders 1- 3 is \$326,351.41, an increase of \$112,905.00 over the original contract amount.				
PREVIOUS CHANGE ORDERS: Change Orders 1-3 are primarily the result of unforeseen site conditions. During excavation of the concrete slabs and removal of asphalt pavement, the contractor discovered one 1,800 gallon underground storage tank filled with used oil; approximately 60,000 gallons of contaminated water trapped within the former basement area; and 65 concrete bell bottom piers extending 8 to 10 feet below ground surface. Change Orders 1-3 compensated the contractor for this additional work and granted a non-compensable time extension.				
IZD:WTH:JLN:GM:FK:fk c: Marty Stein, Jacquelyn L. Nisby, Velma Laws, Gabriel Mussio, File				
REQUIRED AUTHORIZATION			CUIC#25GM151 NOT	
Building Services Department:  Wendy Teas Heger, AIA Chief of Design and Construction Division		Other Authorization:		Other Authorization:  Phil Boriskie, Chief Houston Fire Department

MOTION NO. 2006 0309

MOTION by Council Member Khan that the recommendation of the Director of the Building Services Department, for approval of Change Order No. 2, on contract with Columbia Environmental Services, Inc., for Pavement Removal, Soil Remediation and Disposal for Downtown Fire Station No. 8, GFS No. C-0149-03-5, be adopted, and Change Order No. 2 in the amount of \$107,435.00 is hereby approved by the City Council.


Seconded by Council Member Alvarado and carried.

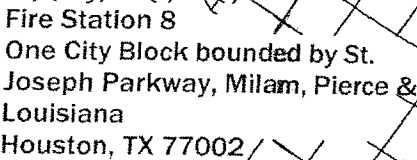
Mayor White, Council Members Lawrence, Johnson,
Clutterbuck, Edwards, Wiseman, Khan, Holm, Garcia,
Alvarado, Brown, Lovell, Sekula-Gibbs and Berry
voting aye
Nays none

Council Member Green out of the City on City business

PASSED AND ADOPTED this 19th day of April, 2006.

Pursuant to Article VI, Section 6 of the City Charter, the
effective date of the foregoing motion is April 25, 2006.


City Secretary



**Pavement Removal, Soil Remediation and Disposal
One City Block bounded by St. Joseph Parkway,
Milam, Pierce & Louisiana Houston, TX 77002**

KEYMAP No. 493 P-Q

SUBJECT: Accept Work

Texas Liqua Tech Services, Inc. (Contract 55587)

Police Administration Building Repairs

GFS G-0072-08-3

Category

1, 7

Page

1 of 1

Agenda Item

b

FROM (Department or other point of origin):

Building Services Department

Origination Date

7-18-06

Agenda Date

JUL 26 2006

DIRECTOR'S SIGNATURE

Issa Z. Dadoush, P. E.

Council Districts affected: 1**For additional information contact:**

Jacquelyn L. Nisby

Phone:

713-247-1814

Date and identification of prior authorizing**Council action:** Ord. 2003-1154 dated 11/25/03**RECOMMENDATION:**

Pass a motion approving the final contract amount of \$1,112,463.64, accept the work, and authorize final payment.

Amount and Source of Funding: No Additional Funding Required**F & A Budget:****Previous Funding:**

\$1,163,000.00 Police Consolidated Construction Fund 435

SPECIFIC EXPLANATION: The Building Services Department recommends that City Council approve the final contract amount of \$1,112,463.64, or 3.76% over the original contract amount, accept the work and authorize final payment to Texas Liqua Tech Services, Inc.**PROJECT LOCATION:** HPD Administration Building
1200 Travis Street (493Q)**PROJECT DESCRIPTION:** The scope of work consisted of the installation of wet seal around window glass, caulk around window frames and masonry joints, and repair of the brick veneer and concrete windowsills as required to prevent water penetrations.**CONTRACT COMPLETION AND COST:** The contractor completed the work within the contract time plus 40 additional days allowed by Change Orders 1 and 2. The final cost of the project, including Change Orders 1 and 2, is \$1,112,463.64, an increase of \$40,357.96 over the original contract amount.

The project design consultant was SpawGlass Construction Company. The construction manager was Sunland Engineering Company.

PREVIOUS CHANGE ORDERS: Change Order 1 constructed a steel flood wall in the underground tunnel to prevent water from entering the HPD basement. Change Order 2 was a credit to the City for unused cash allowances.

IZD:WTH:VTN:JLN:yb

Attachments

cc: Marty Stein, Kirk Munden, Venky Nagasandra, Joseph Kurian

REQUIRED AUTHORIZATION**CUIC ID WDR158** NOT**Building Services Department:**

Richard Villa MA

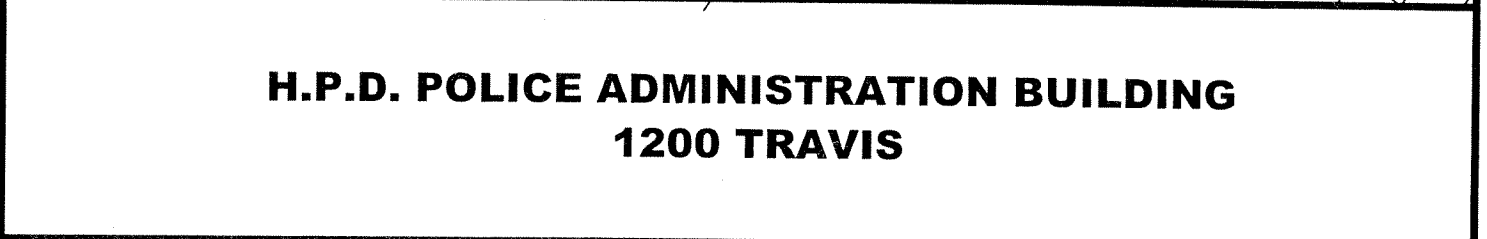
Wendy Teas Heger, AIA

Chief of Design & Construction Division

Other Authorization:**Houston Police Department:**

Harold L. Hurtt

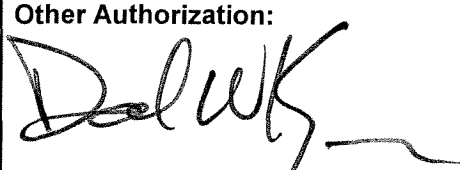
Chief of Police

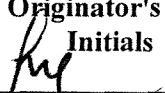


COUNCIL DISTRICT "I"	KEY MAP NO. 493Q
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To: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Accept Work for Neighborhood Street Reconstruction Project No. 432B. GFS No. N-0364-04-3, File No. SB9133		Category # 7	Page 1 of 2	Agenda Item # 7
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date 7-19-06	Agenda Date JUL 26 2006	
DIRECTOR'S SIGNATURE: Michael S. Marcotte, P.E., DEE		Council District affected: D		
For additional information contact: J. Timothy Lincoln, P.E. Senior Assistant Director Phone: (713) 837-7074		Date and identification of prior authorizing Council action: Ord. #03-0455 dated 05/07/03		
RECOMMENDATION: (Summary) Pass a motion to approve the final Contract Amount of \$2,642,039.75 or 3.34% over the original Contract Amount, accept the Work and authorize final payment.				
Amount and Source of Funding: No additional funding required. Original appropriation of \$2,518,245.77 from the Street and Bridge Consolidated Construction Fund, Fund No. 437 and \$496,854.23 from Water and Sewer System Consolidated Construction Fund, Fund No. 755 (\$116,395.74 from S-0500-02-3 and \$380,458.49 from R-0500-02-3). Total appropriation is \$3,015,100.00.				
SPECIFIC EXPLANATION:				
PROJECT NOTICE/JUSTIFICATION: This project was part of the Neighborhood Street Reconstruction Program and was required to improve the streets and upgrade the utilities for the various streets.				
DESCRIPTION/SCOPE: This project consisted of the reconstruction of neighborhood streets. The improvements included concrete roadway with curbs, sidewalks, and utilities. Van de Wiele Engineering, Inc. designed the project with 390 days allowed for construction. The project was awarded to ACM Contractors, Inc. with an original Contract Amount of \$2,556,590.90.				
LOCATION: The street limits and Key Map grid locations are as follows:				
<u>Street Name</u>	<u>Limits</u>	<u>Key Map</u>		
Bomar	Waugh to Montrose	493-N		
Willard	Waugh to Montrose	493-N		
Van Buren	Willard to Bomar	493-N		
Michigan	Dunlavy to Windsor	492-R		
Michigan	Commonwealth to Waughn	493-N		
Normandy Way	Cullen to Calhoun	533-M		
Dewberry	Wayland to Calhoun	534-J		
CONTRACT COMPLETION AND COST: The Contractor, ACM Contractors, Inc., has completed the Work under the subject Contract No. C54947. The project was completed within the Contract Time with 67 additional days allowed by Change Order Nos. 1 and 2. The final cost of the project, including overrun and underrun of estimated bid quantities and previously approved Change Order Nos. 1 and 2 will be \$2,642,039.75, an increase of \$85,448.85 or 3.34% over the original Contract Amount.				
REQUIRED AUTHORIZATION				
F&A Budget:	Other Authorization:	Other Authorization:		
		 Daniel W. Krueger, P.E., Deputy Director Engineering and Construction Division		

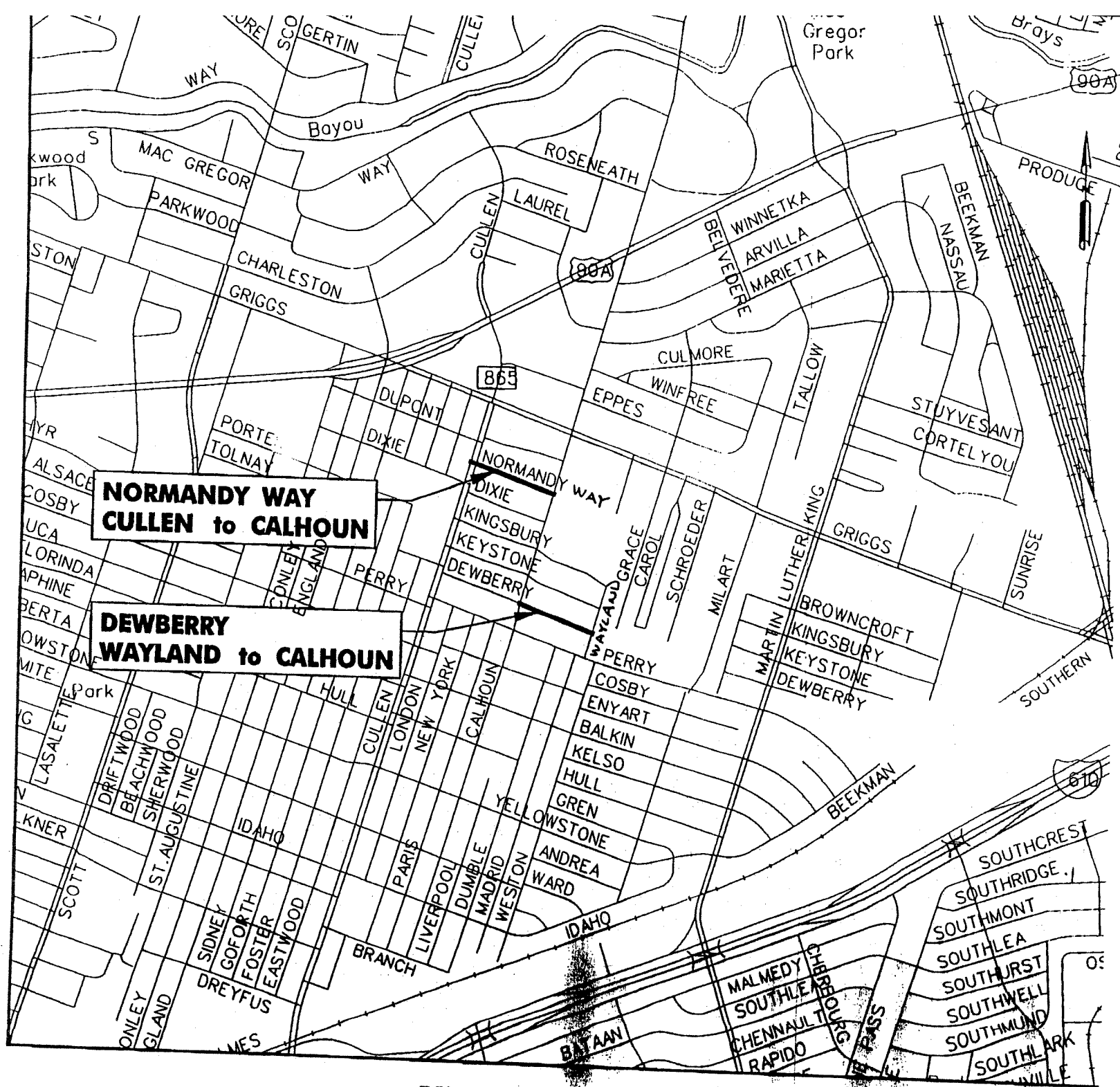
Date:	SUBJECT: Accept Work for Neighborhood Street Reconstruction Project No. 432B. GFS No. N-0364-04-3, File No. SB9133	Originator's Initials 	Page 2 of 2
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The increased cost is a result of previously approved Change Orders and differences between planned and measured quantities. This increase is primarily due to overrun in Bid Item No. 85 – 6-inch concrete driveway, including excavation which was necessary to complete the Work.

M/WBE PARTICIPATION: The M/WBE goal for this project was 17.00%. According to Affirmative Action and Contract Compliance Division, the participation was 17.05%. Contractor's M/WBE performance evaluation was rated satisfactory.

MSM:DWK:JTL:RKM:JEC 

cc: Susan Bandy Daniel W. Krueger, P.E. Michael Ho, P.E.
Velma Laws Craig Foster File No. SB9133.23.0



VICINITY MAD

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Accept Work for Sanitary Sewer Rehabilitation by Point Repair Method GFS No. R-0266-80-3 Wastewater File No. 4235-8		Category 7	Page 1 of 1	Agenda Item # 8
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date 7-21-06	Agenda Date JUL 26 2006	
DIRECTOR'S SIGNATURE: Michael S. Marcotte, P.E., DEE, Director		Council District affected: All		
For additional information contact: Jeff Taylor Deputy Director Phone: (713) 837-0448		Date and identification of prior authorizing Council action: 2/10/99, Ordinance No. 99-121		
RECOMMENDATION: (Summary) Pass a motion to approve the final contract amount of \$1,331,729.07, which is approximately 10.32% under the original contract amount, accept the work, and authorize final payment.				
Amount and Source of Funding: No additional funding required. Original appropriation of \$1,678,050.00 from Water and Sewer System Consolidated Construction Fund No. 755. (Fund#8500)				F&A Budget:
SPECIFIC EXPLANATION: PROJECT NOTICE/JUSTIFICATION: This project was an Annual Service Agreement to provide sanitary sewer rehabilitation to deteriorated sewer collection systems throughout the City. DESCRIPTION/SCOPE: This project consisted of sanitary sewer rehabilitation by point repair method. The project was awarded to Allco, Inc. with an original contract amount of \$1,485,000.00. The Notice to Proceed date was 3/22/99 and the project had 730 calendar days for completion. LOCATION: The project was located at various locations within all Council Districts. CONTRACT COMPLETION AND COST: The Contractor completed the work under City Contract No. C50079. The contract was completed within the required time with an additional 365 days allowed by written notice and 60 days allowed by Change Order No. 1. The final cost of the project is \$1,331,729.07, which is approximately 10.32% under the contract amount of \$1,485,000.00. This was a work-order type contract to address anticipated emergency repairs throughout the city. Fewer work-orders were issued than had been originally anticipated. M/WBE PARTICIPATION: The MWBE goal for this project was 12.0%. According to the Affirmative Action and Contract Compliance Division, the actual participation was 8.0%. The contractor received an unsatisfactory rating from the Affirmation Action Division. MSM:JT:RBW:JGM:DBB:jsc Attachments xc: Marty Stein Susan Bandy, CPA Velma Laws Gary Norman Waynette Chan Michael Ho, P.E. Craig Foster Project File 4235-8				
REQUIRED AUTHORIZATION				
F&A Director:	Other Authorization:	Other Authorization: <i>James Millage</i> FOR Jeff Taylor, Deputy Director		

4235-8 Sanitary Sewer Rehabilitation by Point Repair Method
R-0266-80-3 Allico, Inc.

WO	Address	Type	Date	Key Map
Council District A				
103	Easement between Logview and Loghollow	1-Point Repair	7/25/00	410M
Council District B				
24	North Victory between Lawn and De Priest	1-Point Repair	10/22/99	412V
61	Easement between Castillo and Coahuila	2-Point Repair	4/28/00	455Z
101	Easement between Walton and Tabor	2-Point Repair	7/31/00	453T
102	Easement between Walton and Tabor	2-Point Repair	7/28/00	453T
145	Easement between Bucknell and Castleton	1-Point Repair	11/30/00	414Z
147	Green River Lift Station on N. Green River	1-Manhole Rehab	12/31/00	455H
148	Bellingham near Levering; Laura Koppe at Darien	2-Manhole Rehab	11/30/00	455E
146	Easement between Cabot and Claiborne; Claiborne at Guest	1-Point Repair 2-Manhole Rehab	12/31/00	455C
149	On Springdale, Touchstone, and West Knoll	4-Manhole Rehab 2-Point Repair	3/30/01	455E
Council District C				
1	Vinkins Road between Settle and S. Rachlin Circle	3 - Point Repairs	10/28/99	570F
2	Settle Drive	2-Point Repair	4/16/99	570F
3	Settle Drive	1-Point Repair	4/16/99	570F
4	Vinkins Road between N. Rachlin Circle and Settle Drive	1-Point Repair	10/29/99	570F
5	Vinkins Road between N. Rachlin Circle and S. Rylander Circle	1-Point Repair	4/19/99	570F
6	Vinkins Road between S. Rachlin Circle and Atlaw	2-Point Repair	4/16/99	570F
7	Vinkins Road between Atlaw and Truesdell	2-Point Repair	4/16/99	570F
8	Vinkins Road between Truesdell and N. Rylander	1-Point Repair	4/8/99	570F
9	Vinkins Road between Truesdell and N. Rylander	2-Point Repair	4/16/99	570F
18	Easement between Westridge and Rochdale St.	1-Point Repair	3/29/99	532P
33	Easement between Bellefontaine and Maroneal	1-Point Repair	10/22/99	532F
46	Easement between Buckboard and County Fair	2-Point Repair	9/13/99	372Z
49	Easement between Elmen St and Park Avenue	1-Point Repair	10/28/09	492V
54	5422 Queensloch	1-Point Repair	10/30/99	531T
55	Easement between Rutherglenn and Valkeith	1-Point Repair	11/6/99	531T
82	11335 Newbrook	1-Point Repair	8/31/00	529P
83	Easement between W. Alabama and Sul Ross Ave.	1-Point Repair	6/30/00	492U
84	Morse St. between Fairview and Missouri	1-Point Repair	6/30/00	492V
93	Easement between Addison and Watts Rd.	1-Point Repair	7/31/00	532G
94	Norfolk St. between Morningside and Greenbriar	1-Point Repair	7/31/00	492Y
117	Doud St.	4-Manhole Adjustment	9/30/00	531U
119	4702 Willowbend	1-Point Repair	8/31/00	531Z
121	Easement between Catina and Santa Theresa	1-Point Repair	11/30/00	571Q
Council District D				
32	Park Row and Park Ten Blvd.	1-Point Repair	8/19/00	487C
37	Easement between Crest and Mykawa Rd.	1-Point Repair	8/31/99	534P
38	Easement between Trail Lake and Knotty Oaks Trail	1-Point Repair	9/30/99	571M
39	Easement between Tidewater and Wuthering Heights Dr.	1-Point Repair	9/30/99	572J
51	Allegheny St.	Manhole Adjustment	10/31/99	533G
62	Easement between Charleston and Ozark	1-Point Repair	5/31/00	533G
91	Easement between Heatherbrook and Heathercrest St.	2-Point Repair	7/7/03	571R
92	Easement between Heatherbrook and Heathercrest St.	1-Point Repair	7/6/00	571R

4235-8 Sanitary Sewer Rehabilitation by Point Repair Method
R-0266-80-3 Allco, Inc.

107	Easement between Ruth and Blodgett	1-Point Repair	8/18/00	533C
112	Easement between Higgins and Pederson	2-Point Repair	8/31/00	573D
168	Haver between Windsor and Mandell	1-Point Repair	1/11/02	492V

Council District E

15	Ellington at Gulick	3-Point Repair	10/20/99	575P
40	Gulf Freeway at Easthaven	Manhole Adjustment	8/2/99	575H
41	Wyne Street	3-Manhole Adjustment	9/30/99	535Q
59	East between Roe Drive and Chaffin St.	Manhole	11/27/99	534M
60	Almeda Genoa at Ellington	Replace Manhole	2/29/00	575P
77	Easement between Sagevale and Sageberry	1-Point Repair	7/28/00	616B
79	Easement between Dulcimen St. and Rosehaven Dr.	1-Point Repair	6/30/00	573B
124	East Freeway	3-Manhole Rehab	11/30/00	496F
126	Hennessee at Tresh	Replace Manhole	9/30/00	617M
133	Richvale at Pipers View	1-Manhole Adjustment	9/30/00	617R
134	Richvale between Pipers View and Castorglen	1-Manhole Adjustment	9/30/00	617R
135	Richvale at Firthridge	1-Manhole Adjustment	9/30/00	617R
35	Culmore Ave., Fairway Ave., McHenry St., Kinney St., Eppes St., Winfree St., Mylere St.	19-Manhole Adjustment	9/30/99	534R

Council District F

13	Imperial Point at Sharpsview	1-Point Repair	10/8/99	529L
14	Chasewood Lift Station Drive	Manhole Adjustment	10/8/99	571S
21	Easment between Triola and Carvel	1-Point Repair	10/8/99	529K
64	Waldemar at Crescent Park Dr.	1-Point Repair	2/29/00	489T
69	Croton Rd. and Kensico Dr.	1-Point Repair	6/30/00	530K
70	Croton Rd. at Toures Dr.	1-Point Repair	7/13/00	530K
118	S. Gessner at Neff	1-Point Repair	10/20/00	530E
161	Easement between Bayou Place Dr. and Bayou Place Lane	1-Point Repair	1/2/02	529X
171	11214 Concho	1-Point Repair	1/5/02	529K

Council District G

11	Easement between Olympia and Meadow Lake	1-Manhole	10/23/99	489U
23	Richmond Avenue between Ashfield and Ashton Park	1-Point Repair	10/30/99	488Z
52	Easement between Ashford Brock Dr. and Ashford Creek Dr.	1-Point Repair	10/15/1999	488V
56	In Easement between Candlewood and Holly Spring	2-Point Repair	10/31/99	489Q
57	12002 Sugarsprings Drive	Manhole Rehab	1/28/00	489N
71	Easement between Crab Orchard Rd. and Riverview Way	1-Point Repair	6/30/00	491J
81	Malone Ave between Lacy St. and Venice	1-Point Repair	6/30/00	492L
113	Easement between Lynbrook and Tilbury	1-Point Repair	9/30/00	491P
114	Easement between Piping Rock and Ella Lee	2-Point Repair	9/30/00	489U
120	3114 Westwick	1-Point Repair	8/31/00	488Y
158	Easement behind Hollandale	1-Point Repair	1/9/02	488Z
169	Westpark at Truckee	1-Point Repair	12/26/01	488Y
183	Easement behind River View	R/R	12/22/01	489K

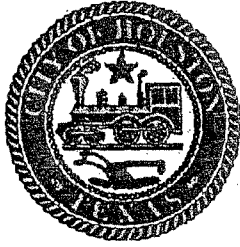
Council District H

42	Bolivia Dr.	2-Manhole Adjustment	8/13/99	451C
43	Easement between Maiden and Bow Lane	1-Point Repair	9/30/99	571Y
48	Randolph Lift Station	R/R	9/30/99	412Q

4235-8 Sanitary Sewer Rehabilitation by Point Repair Method
R-0266-80-3 Allco, Inc.

138	Clinton Road between Japhet and Talleferro	1-Point Repair 1-Manhole Rehab	1/19/01	494L
Council District I				
26	Garrow between North Sampson and York	1-Point Repair	10/16/99	494N
27	Easement behind Piping Rock	2-Point Repair	10/8/99	490T
96	Clinton Park between N. Carolina and Dehaven	1-Point Repair	7/31/00	495V
97	N Carolina	1-Point Repair	7/30/00	495V
100	8042 Glen Forest	1-Point Repair	7/31/00	535T
110	Easement between Lynn and Glenbrook	1-Point Repair	8/31/00	535P
111	8623 Wilmerdean	1-Point Repair	8/31/00	535Y
115	2619 Wilshire	1-Point Repair	8/31/00	534G
No Council District Listed				
50	FBP07020-019	2-Point Repair	7/31/00	
65	SE Quadrant	2-Point Repair	2/28/00	
66	NE Quadrant	1-Point Repair	2/28/00	
72	SE Quadrant	1-Point Repair	6/30/00	
75		1-Point Repair	6/30/00	
85	12915 Westmere	2-Point Repair	10/17/00	488Q
86		3 Repairs	6/30/00	
87		1-Point Repair	6/30/00	
90		1-Point Repair	6/30/00	
95		1-Point Repair	7/31/00	
99		1-Point Repair	7/28/00	
106		R/R	8/25/00	
108		1-Point Repair	8/31/00	
109		1-Point Repair	8/18/00	
127		2-Point Repair	11/17/00	
128		2-Point Repair	10/31/00	
143		1-Point Repair	11/30/00	
152	SW Quadrant	2-Point Repair	1/18/02	
162	SW Quadrant		12/31/00	
175		R/R	3/30/01	
176	NE Quadrant	R/R	8/31/01	
177	SE Quadrant		8/16/01	
178		1-Point Repair 1-Manhole	10/31/01	
179		R/R	9/28/01	
180		R/R	10/31/01	
181		R/R	3/11/02	
186		R/R	2/28/02	
187		R/R	2/28/02	
174		2-Point Repair 1-Manhole	3/31/01	

SUBJECT: Accept Work for Water Line Replacement Project in Airport South Subdivision and Yale Street Bridge Crossing. GFS No. S-0035-A1-3; File No. WA10761.		Category #7	Page 1 of 1	Agenda Item# 9
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date 7/19/06	Agenda Date JUL 26 2006	
DIRECTOR'S SIGNATURE: Michael S. Marcotte, P.E., DEE, Director		Council Districts affected: D & H		
For additional information contact: J. Timothy Lincoln, P.E. Senior Assistant Director		Date and Identification of prior authorizing Council Action: Ord. #05-689 dated 06/01/05		
RECOMMENDATION: (Summary) Pass a motion to approve the final Contract Amount of \$912,142.26 or 4.63% under the original Contract Amount, accept the Work, and authorize final payment.				
Amount and Source of Funding: No additional funding required. Original appropriation of \$1,115,800.00 for construction and contingencies from Water and Sewer System Consolidated Construction Fund, Fund No. 755.			F&A Budget:	
SPECIFIC EXPLANATION:				
PROJECT NOTICE/JUSTIFICATION: This project was part of the City's Water Line Replacement program and was required to replace and upgrade water lines within the City to increase circulation and availability of water.				
DESCRIPTION/SCOPE: This project consisted of replacement of 11,570 linear feet of 8-inch, and 405 linear feet of 6-inch water lines with all related appurtenances. Halff Associates, Inc. designed the project with 270 calendar days allowed for construction. The project was awarded to Reliance Construction Services, L. P. with an original Contract Amount of \$956,417.32.				
LOCATION: The project area is generally bound by Airport Boulevard on the north, Poe on the south, Fairland and Dulcimer on the east, and Buffum on the west. Yale Street crossing is located at downstream of White Oaks Bayou and Yale Street. The project is located in Key Map grids 573-F & K and 492-H.				
CONTRACT COMPLETION AND COST: The Contractor, Reliance Construction Services, L.P. has completed the work under subject Contract No. C56995. The project was completed within the Contract time. The final cost of the project, including overrun and underrun of estimated bid quantities and previously approved Change Order No. 1 is \$912,142.26, a decrease of \$44,275.06 or 4.63% under the original Contract Amount.				
The decreased cost is a result of the differences between planned and measured quantities. This decrease is primarily a result of an underrun in Base Unit Item No. 17 – 8-inch Restraint Joint Water Line (augered), Extra Unit Item Nos. 36 through 48 (Airport South), and Extra Unit Item Nos. 49 through 54 (Yale Street), which were not necessary to complete the Work.				
M/WBE PARTICIPATION: There was no M/WBE goal for this project.				
MSM:JTL:JK:SK:mq S:\constr\Admin\CONST\Projects\10761\Closeout\RCA-rev1.doc				
c: Velma Laws Craig Foster Michael Ho, P.E. File No. 10761 - 23.0				
REQUIRED AUTHORIZATION CUIC ID# 20SK001				
F&A Director:	Other Authorization: Jeff Taylor, Deputy Director Public Utilities Division		Other Authorization: Daniel W. Krueger, P.E., Deputy Director Engineering and Construction Division	



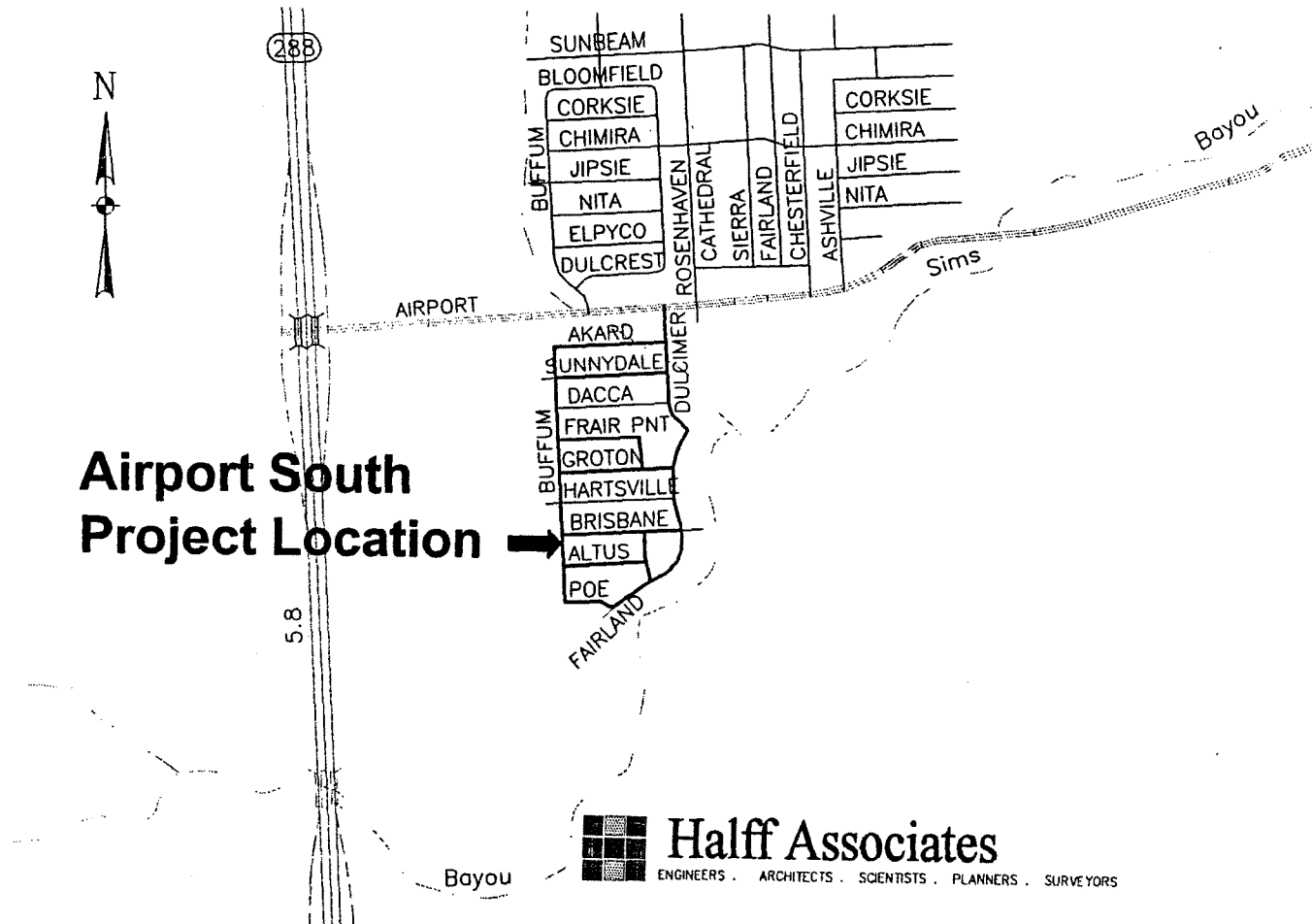
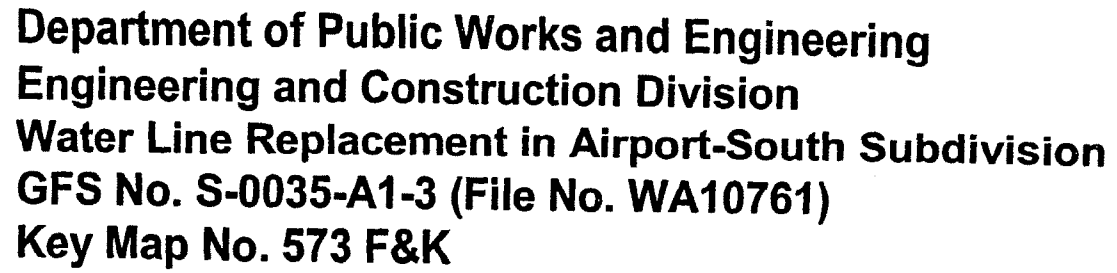
Department of Public Works and Engineering
Engineering and Construction Division
Water Line Replacement in Airport-South Subdivision
GFS No. S-0035-A1-3 (File No. WA10761)
Key Map No. 492 H

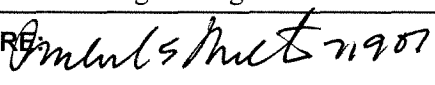


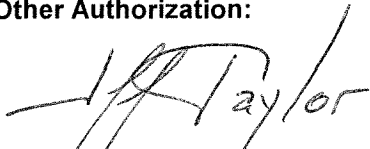

**Yale Street
Project Location** →



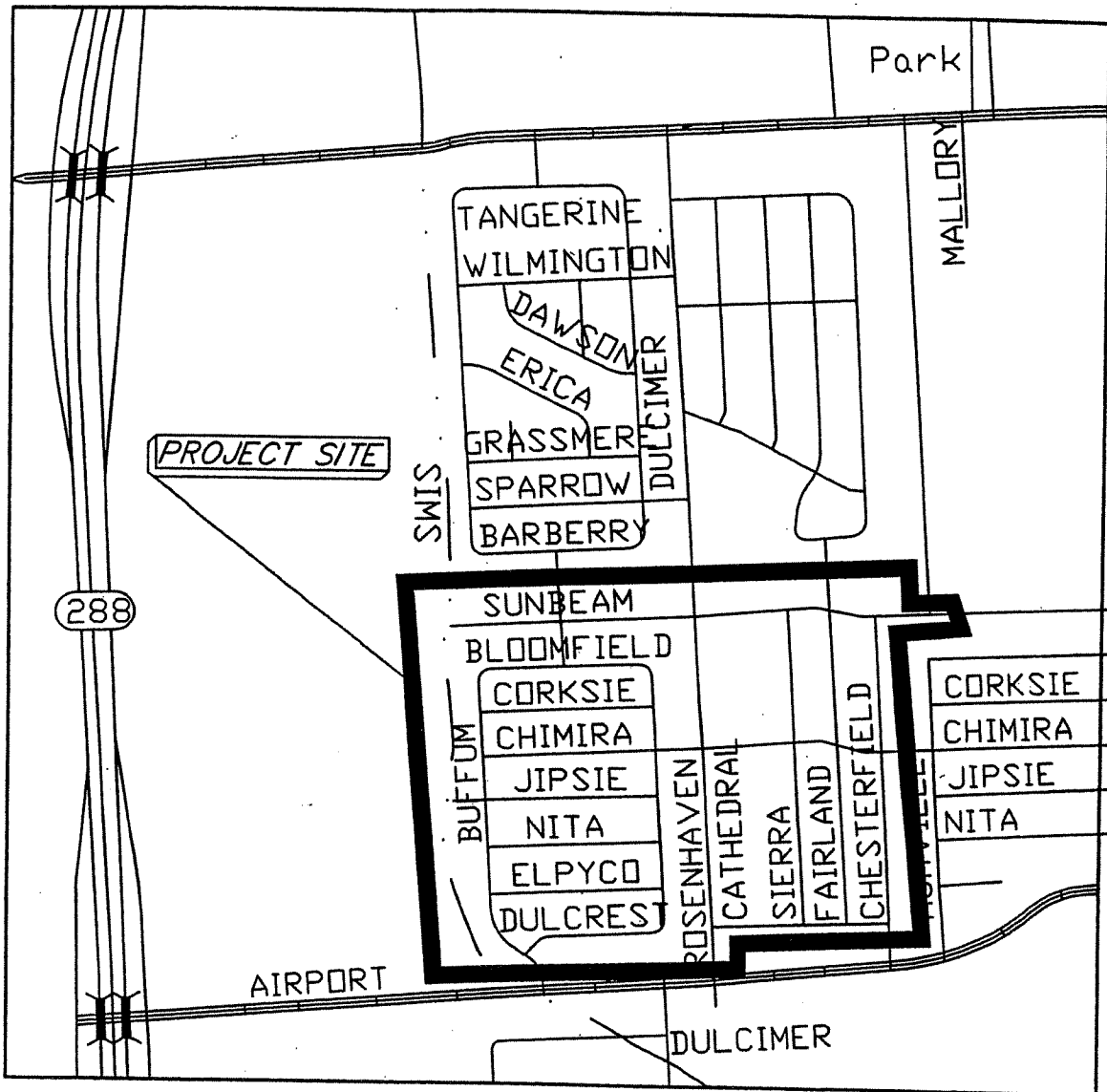
Halff Associates

ENGINEERS . ARCHITECTS . SCIENTISTS . PLANNERS . SURVEYORS



SUBJECT: Accept Work for Construction of Water Line Replacement in Sunbeam Area. GFS No. S-0035-A9-3; File No. WA10769.		Category # 7	Page 1 of 1	Agenda Item # 10
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date 7-20-06		Agenda Date JUL 26 2006
DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., Director		Council Districts affected: D JK <i>M.A.S.</i>		
For additional information contact:  J. Timothy Lincoln, P.E. Senior Assistant Director Phone: (713) 837-7074		Date and Identification of prior authorizing Council Action: <i>JK</i> <i>M.A.S.</i> Ord. #05-599 dated 05/11/05		
RECOMMENDATION: (Summary) Pass a motion to approve the final Contract Amount of \$1,103,037.99 or 4.45% under the original Contract Amount, accept the Work, and authorize final payment.				
Amount and Source of Funding: No additional funding required. Original appropriation of \$1,354,000.00 for construction and contingencies from Water and Sewer System Consolidated Construction Fund, Fund No. 755.				F&A Budget:
SPECIFIC EXPLANATION:				
PROJECT NOTICE/JUSTIFICATION: This project was part of the City's Water Line Replacement program and was required to replace and upgrade water lines within the City to increase circulation and availability of water.				
DESCRIPTION/SCOPE: The project consisted of replacement of 23,482 linear feet of 8-inch and 6-inch water lines with all related appurtenances. Pepe Engineering designed the project with 235 calendar days allowed for construction. The project was awarded to R.K. Wheaton, Inc. with an original Contract Amount of \$1,154,457.40.				
LOCATION: The project area is generally bounded by Sunbeam on the north, Airport Boulevard on the south, Chesterfield on the east and Buffum on the west. The project is located in Key Map grids 573-B & F.				
CONTRACT COMPLETION AND COST: The Contractor, R.K. Wheaton, Inc. has completed the work under subject Contract No. C56935. The project was completed within the Contract Time. The final cost of the project, including overrun and underrun of estimated bid quantities is \$1,103,037.99, a decrease of \$51,419.41 or 4.45% under the original Contract Amount.				
The decreased cost is a result of the differences between planned and measured quantities. This decrease is primarily a result of an underrun in Base Unit Item No. 16 – Service Connections – Short Side (5/8" thru 1"), and Extra Unit Item Nos. 31 through 42, which were not necessary to complete the Work.				
M/WBE PARTICIPATION: The M/WBE goal for this project was 17%. According to the Affirmative Action and Contract Compliance Division, the actual participation was 19.41%. The Contractor achieved an "Outstanding" rating for MWDDBE Compliance.				
 MSM:DWK:JTL:JK:MAS:mq S:\constr\Admin\CONST\Projects\10769\Closeout\RCA\CloseoutRCA 10769.doc				
c: Daniel W. Krueger, P.E. Velma Laws Michael Ho, P.E. Craig Foster File No. 10769 - 23.0				
REQUIRED AUTHORIZATION			CUIC ID # 20MAS112 <i>MA</i>	
F&A Director:	Other Authorization:  Jeff Taylor, Deputy Director Public Utility Division		Other Authorization:  Daniel W. Krueger, P.E., Deputy Director Engineering and Construction Division	

CITY OF HOUSTON
DEPARTMENT OF PUBLIC WORKS
AND ENGINEERING

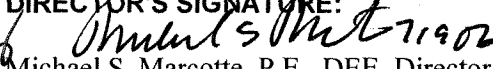



WATER MAIN REPLACEMENTS
SUNBEAM

 PROJECT LIMITS

CITY COUNCIL DISTRICT "D"

File No.: WA10769
GFS No.: S-0035-A9-2

SUBJECT: Accept Work for Slipline of Existing 42-inch Water Line with 36-inch HDPE from Holmes Road to Sims Bayou Pump Station. GFS No. S-0900-A8-3; File No. WA10448-10.	Category # 7	Page 1 of 2	Agenda Item # 11
FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 7/19/06	Agenda Date JUL 26 2006	
DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., DEE, Director	Council Districts affected: C & D		
For additional information contact:  J. Timothy Lincoln, P.E. Senior Assistant Director Phone: (713) 837-7074	Date and Identification of prior authorizing Council Action: Ord. #04-1295 dated 12/15/04		
RECOMMENDATION: (Summary) Pass a motion to approve the final Contract Amount of \$7,829,129.50 or 4.19% under the original Contract Amount, accept the Work, and authorize final payment.			
Amount and Source of Funding: No additional funding required. Original appropriation of \$9,170,800.00 for construction and contingencies from Water and Sewer System Consolidated Construction Fund, Fund No. 755.		F&A Budget:	
<p>SPECIFIC EXPLANATION:</p> <p>PROJECT NOTICE/JUSTIFICATION: This project was part of the Surface Water Transmission Program and was required to meet Harris-Galveston Coastal Subsidence District's (HGCSD) legislative mandate to regulate the withdrawal of ground water.</p> <p>DESCRIPTION/SCOPE: The project consisted of sliplining 24,697 linear feet of existing 42-inch water main with high density polyethylene (HDPE) pipe with all related appurtenances and connections to adjacent lines. Lockwood, Andrews, & Newnam, Inc. designed the project with 180 calendar days allowed for construction. The project was awarded to Jalco, Inc. with an original Contract Amount of \$8,171,838.50.</p> <p>LOCATION: The project area is generally bound by Holmes Road on the north, Darlinghurst on the south, 500' east of Willowbend on the east and Croquet on the west. The project is located in the Key Map grids 532-X, 571-D, H, M, L, P & Q, and 572-A & B.</p> <p>CONTRACT COMPLETION AND COST: The Contractor, Jalco, Inc. has completed the work under subject Contract No. C56553. The project was completed within the Contract Time. The final cost of the project, including overrun and underrun of estimated bid quantities and previously approved Change Order Nos. 1 through 3 will be \$7,829,129.50, a decrease of \$342,709.00 or 4.19% under the original Contract Amount.</p> <p>The decreased cost is a result of the differences between planned and measured quantities and Change Order No. 2. This decrease is primarily a result of an underrun in Base Unit Item No. 11 – Transportation and Disposal of Category I Soil in PPCA, Base Unit Item No. 12 - Transportation and Disposal of Category II Soil in PPCA, Extra Unit Item No. 50 – Extra 36-inch Flanged Fittings in Place, Extra Unit Item No. 53 – Extra Slipline Access Pits, up to 15 feet deep, Extra Unit Item No. 55 - Extra Slipline Access Pits, greater than 15 feet deep, and Extra Unit Item No. 56 - Extra Slipline Access Pits, greater than 15 feet deep in PPCA, which were not necessary to complete the Work.</p> <p>M/WBE PARTICIPATION: The M/WBE goal for this project was 17%. According to Affirmative Action and Contract Compliance Division, the actual participation was 23.61%. The Contractor achieved an "Outstanding" rating for MWDDBE compliance.</p>			

REQUIRED AUTHORIZATION

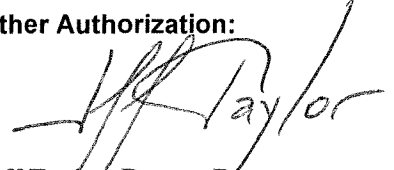
CUIC ID # 20JM002

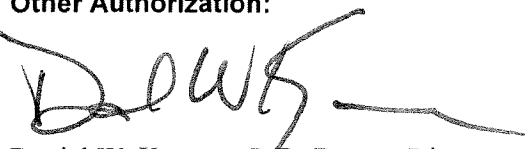
NOT

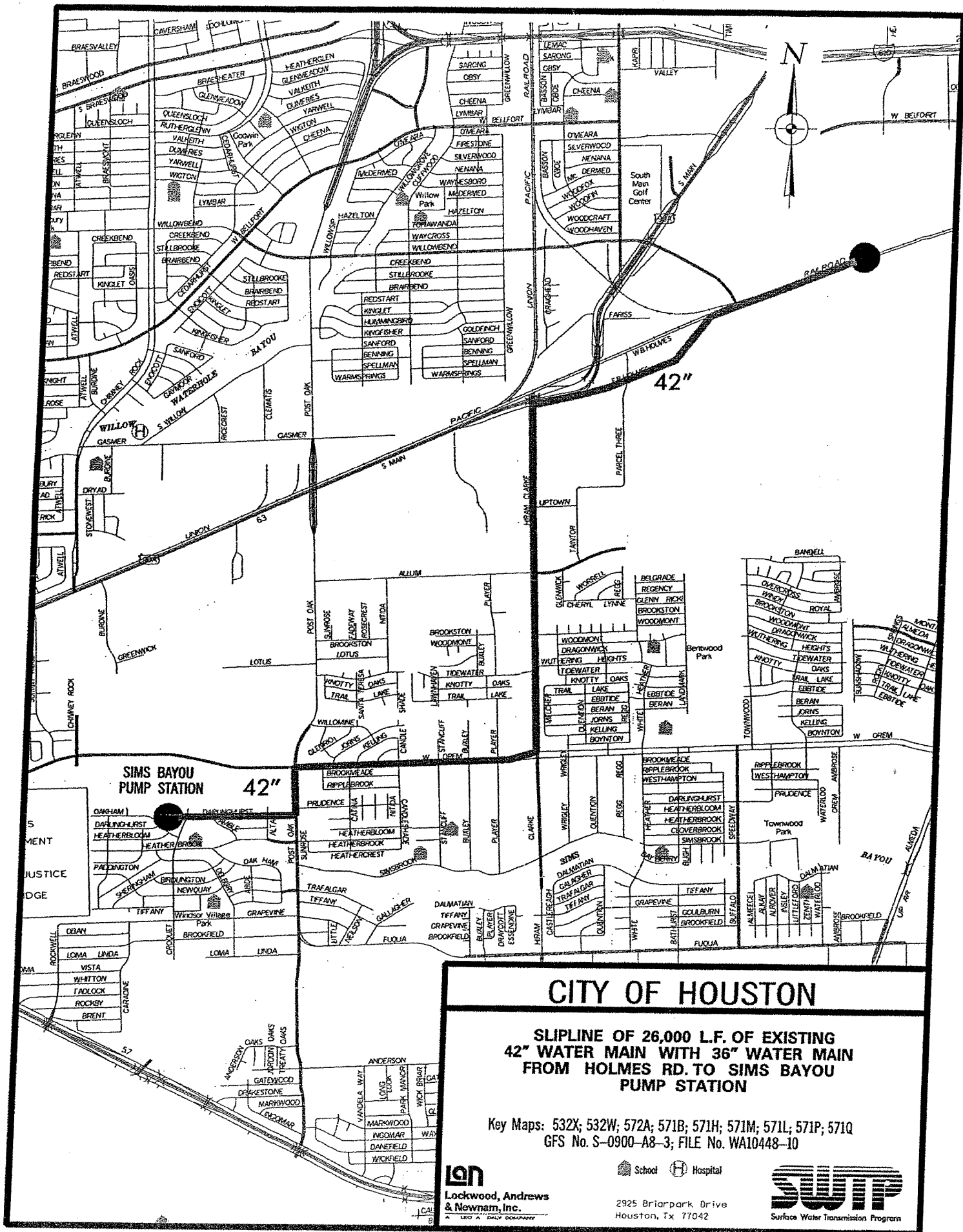
F&A Director:

Other Authorization:

Other Authorization:


 Jeff Taylor, Deputy Director
 Public Utility Division


 Daniel W. Krueger, P.E., Deputy Director
 Engineering, and Construction Division



CITY OF HOUSTON

**SLIPLINE OF 26,000 L.F. OF EXISTING
42" WATER MAIN WITH 36" WATER MAIN
FROM HOLMES RD. TO SIMS BAYOU
PUMP STATION**

Key Maps: 532X; 532W; 572A; 571B; 571H; 571M; 571L; 571P; 571Q
GFS No. S-0900-A8-3; FILE No. WA100448-10



**Lockwood, Andrews
& Newnam, Inc.**

A LEED AC BOLD COMPANY



School Hospital

2925 Briarpark Drive
Houston, Tx 77042



Surface Water Transmission Program

REQUEST FOR COUNCIL ACTION

RCA# 6919

TO: Mayor via City Secretary

Subject: Formal Bids Received for Two Self-Contained Compactors for the Houston Airport System

Category #
4

Page 1 of 1

Agenda Item

NC-6-2590-030-21075

12

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Finance and Administration Department

Origination Date

July 07, 2006

Agenda Date

JUL 26 2006

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected
B

For additional information contact:

Richard Hrachovy Phone: (281) 230-8002
Ray DuRousseau Phone: (713) 247-1735

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an award to Republic Waste Services of Texas, Ltd. on its low bid in the amount of \$43,094.00 for two self-contained compactors for the Houston Airport System.

Award Amount: \$43,094.00

F & A Budget

\$43,094.00 - HAS-AIF Capital Outlay (8012)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an award to Republic Waste Services of Texas, Ltd. on its low bid in the amount of \$43,094.00 for two self-contained compactors for the Houston Airport System, and that authorization be given to issue a purchase order.

This project was advertised in accordance with the requirements of the State of Texas bid laws. Four prospective bidders viewed the solicitation document on SPD'S e-bidding website and two bids were received as outlined below. Only two bids were received for this project due to limited competition for this specialized equipment.

COMPANY

TOTAL AMOUNT

- | | |
|---|-------------|
| 1. Republic Waste Services of Texas, Ltd. | \$43,094.00 |
| 2. Wastequip May Fab | \$47,953.00 |

These compactors will be installed at Terminals A and D, located at 2800 North Terminal Road and 3700 North Terminal Road, respectively. These self-contained compactors will come with a three-year warranty on structural and cylinder parts, a one-year warranty on components and will have a life expectancy of seven years. These self-contained compactors will be used to replace two compactors that are leaking fluids, environmentally hazardous and do not meet federal regulations. The old compactors will be sent to the Department's salvage yard for disposition.

Buyer: Steve Caro

REQUIRED AUTHORIZATION

F&A Director:

Other Authorization:

Other Authorization:

NOT

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 6914

Subject: Formal Bids Received for Aircraft Rescue & Firefighting Vehicles for the Houston Airport System
NC-6-2320-050-21057

Category #
4

Page 1 of 2

Agenda Item

13

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Finance and Administration Department

Origination Date

July 06, 2006

Agenda Date

JUL 26 2006

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected
B, I

For additional information contact:

Richard Hrachovy Phone: (281) 230-8002
Ray DuRousseau Phone: (713) 247-1735

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve various awards, as shown below, in the amount of \$211,081.00 for three aircraft rescue and firefighting vehicles for the Houston Airport System.

Award Amount: \$211,081.00

F & A Budget

\$211,081.00 - HAS - AIF Capital Outlay (8012)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve various awards, as shown below, in the amount of \$211,081.00 for three aircraft rescue and firefighting (ARFF) vehicles for the Houston Airport System and that authorization be given to issue purchase orders. These vehicles will be used at the George Bush Intercontinental and William P. Hobby Airports to respond to aircraft emergencies.

This bid was advertised in accordance with the requirements of the State of Texas bid laws. Fourteen prospective bidders viewed the solicitation document on SPD's e-bidding website, and two bids were received as outlined below:

Tommie Vaughn Motors, Inc.: Award on its low bid for Item No. 1, two 19,000-lb. Gross Vehicle Weight Rating (GVWR) cabs and chassis mounted with passenger stairways in the amount of \$175,488.00.

<u>Company</u>	<u>Total Amount</u>
1. Tommie Vaughn Motors, Inc.	\$175,488.00
2. Philpott Motors, Ltd. d.b.a. Philpott Ford	\$176,826.00

These two 19,000-lb. GVWR cabs and chassis will be mounted with a passenger stairway and will be used by aircraft rescue and firefighting (ARFF) personnel to remove sick or injured passengers and to fight fires on aircraft in the absence of jet bridges. One truck will be assigned to George Bush Intercontinental Airport and the other to William P. Hobby Airport. The cabs and chassis will come with a full 36-month/36,000-mile bumper-to-bumper warranty, and the bodies will come with a full one-year warranty. These trucks are additions to the Department's fleet inventory. These diesel-powered trucks will meet the EPA's current emission standards for trucks with diesel engines and will have a life expectancy of seven years or 100,000 miles.

REQUIRED AUTHORIZATION

F&A Director:

Other Authorization:

Other Authorization:

Date: 7/6/2006	Subject: Formal Bids Received for Aircraft Rescue & Firefighting Vehicles for the Houston Airport System NC-6-2320-050-21057	Originator's Initials NR	Page 2 of 2
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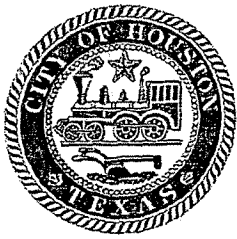
Philpott Motors, Ltd. d.b.a. Philpott Ford: Award on its low bid for Item No. 2, one 17,500-lb. GVWR cab and chassis in the amount of \$35,593.00.

	<u>Company</u>	<u>Total Amount</u>
1.	Philpott Motors, Ltd. d.b.a. Philpott Ford	\$35,593.00
2.	Tommie Vaughn Motors, Inc.	\$35,795.00

This 17,500-lb. GVWR cab and chassis will be mounted with a skid-mounted dry chemical and water pump capable of dispensing 100 gallons of water and 500 pounds of dry chemical and will be used by ARFF personnel to fight aircraft fires at George Bush Intercontinental Airport. An existing City of Houston skid-mounted unit will be mounted on this new cab and chassis. The truck will come with a full 36-month/36,000-mile bumper-to-bumper warranty and will replace Shop No. 25359, a 10-year old unit that has exceeded its life expectancy and will be sent to auction for disposition. This diesel-powered truck will meet the EPA's current emission standards for trucks with diesel engines and will have a life expectancy of seven years or 100,000 miles.

Buyer: Nancy Reingold

Attachment: M/WBE Zero Percentage Goal Document approved by the Affirmative Action Division



CITY OF HOUSTON

Finance & Administration Department
Strategic Purchasing Division (SPD)

Interoffice

Correspondence

To: Kevin M. Coleman, C.P.M.
Assistant Purchasing Agent

From: Nancy Reingold

Date: 3/21/06

Subject: MWBE Participation Form (a)

I am requesting a waiver of the MWBE Goal: Yes ☒ No ☐ Type of Solicitation: Bid ☒ Proposal ☐

I am requesting a MWBE goal below 11% (To be completed by SPD, and prior to advertisement): Yes ☐ No ☒

I am requesting a revision of the MWBE Goal: Yes ☐ No ☐ Original Goal: _____ New Goal: _____

If requesting a revision, how many solicitations were received: _____

Solicitation Number: NC-6-2310-050-21057

Est. Dollar Amount: \$170,000.00

Anticipated Advertisement Date: 3/31/2006

Solicitation Due Date: 4/27/2006

Goal On Last Contract: 0%

Was Goal met: Yes ☐ No ☐

If goal was not met, what did the vendor achieve: _____

Name and Intent of this Solicitation: Line is expandable
Purchase of Pickup Trucks and Passenger Stairways

Rationale for requesting a Waiver or Revision (Zero percent goal or revision after advertisement): Line is expandable
(To be completed by SPD)

The pickup trucks are manufactured and delivered to an upfitter, who installs the passenger stairways and delivers the vehicles to City of Houston. There is no opportunity for M/WBE participation.

Concurrence:

Nancy R. Reingold
SPD Initiator

Kevin M. Coleman
Division Manager

Velma Laws
Velma Laws, Director
*Affirmative Action

Kevin M. Coleman
Kevin M. Coleman, C.P.M.
Assistant Purchasing Agent

* Signature is required, if the request is for zero percent MWBE participation, or to revise the MWBE goal.

File location: <http://choice.net/spd/forms.html>

REVISED: 3/21/2006

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 6814

Subject: Spending Authority to Lease a Wide-Format Scanner/Copier from the State of Texas Building and Procurement Commission's Contract for the Building Services Department

Category #
4

Page 1 of 1

Agenda Item

14

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Finance and Administration Department

Origination Date

July 06, 2006

Agenda Date

JUL 26 2006

DIRECTOR'S SIGNATURE

[Handwritten Signature: Calvin D. Wells]

Council District(s) affected
All

For additional information contact:

Jacquelyn L. Nisby Phone: (713) 247-1814
Ray DuRousseau Phone: (713) 247-1735

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve spending authority to lease a wide-format scanner/copier from the State of Texas Building and Procurement Commission's Contract in an amount not to exceed \$55,256.40 for the Building Services Department.

Estimated Spending Authority: \$55,256.40

F & A Budget

\$55,256.40 - General Fund (1000)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve spending authority to lease a wide-format scanner/copier from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program in an amount not to exceed \$55,256.40, for the Building Services Department and that authorization be given to issue purchase orders to the State contract vendor, Xerox Corporation, for a 60-month term.

The scope of work requires the contractor to provide all labor, materials, supervision and transportation necessary to furnish and install a wide-format scanner/copier on the second floor of 900 Bagby. The contractor will also be required to provide two hours of training for the operators of the unit. The Design and Construction Division of the Building Services Department will use this equipment to digitally copy, scan, reproduce and electronically transmit a wide variety of engineering drawings, maps, floor plans and documents in color to contractors.

Sections 271.081 through 271.083 of the Texas Local Government Code provide the legal authority for local governments to participate in the State of Texas Purchasing Program.

Estimated Spending Authority

DEPARTMENT	FY 2007	OUT YEARS	TOTAL
Building Services	\$11,051.28	\$44,205.12	\$55,256.40

Buyer: Frank Rodriguez

REQUIRED AUTHORIZATION

F&A Director:

Other Authorization:

Other Authorization:

[Handwritten: NOT]

[Handwritten: 4/25/06]

REQUEST FOR COUNCIL ACTION

RCA# 6946

TO: Mayor via City Secretary

Subject: Formal Bids Received for Parking Meter Parts for the Convention & Entertainment Facilities Department
SC-R-4515-038-21045

Category #
4

Page 1 of 2

Agenda Item

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Finance and Administration Department

Origination Date

July 17, 2006

Agenda Date

JUL 26 2006

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected
All

For additional information contact:

Dawn Ullrich Phone: (713) 853-8083

Desiree Heath Phone: (713) 247-1722

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve various awards, as shown below, in an amount not to exceed \$400,000.00 for parking meter parts for the Convention & Entertainment Facilities Department.

Estimated Spending Authority: \$400,000.00

F & A Budget

\$400,000.00 General Fund (1000)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve various awards, as shown below, in an amount not to exceed \$400,000.00 for parking meter parts for the Convention & Entertainment Facilities Department. It is further requested that authorization be given to issue purchase orders, as needed, for a 36-month period, with two one-year options to extend, for a total 60-month term. The City Purchasing Agent may terminate these contracts at any time upon 30-day written notice to the contractor. These awards, consisting of various types of electrical and mechanical parking meter parts, will be used by the Department to replace damaged and worn-out parts on existing parking meters citywide.

These are price list contracts. The best discount which determines the low bid for a price list contract is the best bid received for quantities of high-use items selected as sample pricing items. The bid total for sample pricing items does not represent the total amount estimated to be purchased; rather, this award recommendation is for the total estimated expenditures projected over the life of the contract based on the low bid submitted for the representative samples.

Sole bids were received for these items because the bidders are the manufacturers of the parts contained in the price lists solicited, and they do not have distributors. This project was advertised in accordance with the requirements of the State of Texas bid laws. Eighteen prospective bidders viewed the solicitation document on SPD's e-bidding website, and two bids were received as outlined below:

Duncan Parking Technologies, Inc.: Award on its sole bid for Item No. 1 (Duncan Parking Technologies Price Lists, effective May 1, 2006, which consists of parts; including, but not limited to, CK coils, 9-volt alkaline batteries, PCB boards, retainer screws, and inner sleeve assemblies) and sole bid for Item No. 2 (Reino Spare Parts Price List, Reino Multibay – RSV1 and Price List RSV2, dated July 2005, which consists of parts; including, but not limited to, guard assemblies, bash box intelligent assemblies, and CPU boards) in an amount not to exceed \$305,000.00.

REQUIRED AUTHORIZATION

NOT

F&A Director:

Other Authorization:

Other Authorization:

Date: 7/17/2006	Subject: Formal Bids Received for Parking Meter Parts for the Convention & Entertainment Facilities Department SC-R-4515-038-21045	Originator's Initials CM	Page 2 of 2
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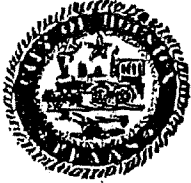
POM Incorporated: Award on its sole bid for Item No. 3 (POM Model APM-E Advanced Parking Meter Parts Price List, effective December 17, 2003, which consists of parts; including; but not limited to, keypads, vault locks, CPU launch pads and battery looms) in an amount not to exceed \$95,000.00.

Buyer: Carmen S. Martinez

Attachment: M/WBE zero percent goal document approved by the Affirmative Action Division

Estimated Spending Authority:

DEPARTMENT	FY 2007	OUT YEARS	TOTAL
CONVENTION & ENTERTAINMENT FACILITIES	\$100,000.00	\$300,000.00	\$400,000.00



CITY OF HOUSTON
Finance & Administration Department

Interoffice

Correspondence

To: Calvin D. Wells - City Purchasing Agent

From: ^{CSM} Carmen S. Martinez

Date: August 5, 2005

Subject: M' VBE 0% Goal Request
Parking Meter Parts Contract for
Municipal Courts Administration
SI - R-4515038-24055

Is this to establish a goal for advertisement? Yes

Bid Number: SC-R-4514-038-20730

Advertisement schedule Date: August 28, 2005

Bids Due Date: October 6, 2005

Goal on last contract: 0%

Items or Scope of Bid:-

The purpose of this supply contract is to purchase parking meter parts to be utilized by Municipal Courts Administration.

The total dollar value is approximately \$330,000.00

I am requesting approval of 0% goal.

Justification:

Opportunity for MWBE participation remains limited due to the referenced items currently and in the past being shipped directly from the manufacturer to the City of Houston. Also, there is no MWBE goal on the current contract, and the contract will be advertised with the same items and in the same format as before.

Concur:

Desiree Heath
Division Manager

Approved:

Calvin D. Wells
City Purchasing Agent

CDW:DH:an

Approved:

Beth Tywalc
Contract Compliance Officer

Approved:

Valina Law
Director - Administrative Action

REQUEST FOR COUNCIL ACTION

RCA# 7018

TO: Mayor via City Secretary

Subject: Sole Source Purchase of Ladder Truck Repair Service for the Fire Department

Category #
4

Page 1 of 1

Agenda Item

16

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Finance and Administration Department

Origination Date

July 19, 2006

Agenda Date

JUL 26 2006

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected
All

For additional information contact:

Chief Dowdy Phone: (713) 859-3183
Ray DuRousseau Phone: (713) 247-1735

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve the sole source purchase from Ferrara Fire Apparatus, Inc. in an amount not to exceed \$58,932.50 for the repair of a ladder truck for the Fire Department.

Award Amount: \$58,932.50

F & A Budget

\$58,932.50 - General Fund (1000)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve the sole source purchase from Ferrara Fire Apparatus, Inc. in the total amount of \$58,932.50 for ladder truck repair service for the Fire Department, and that authorization be given to issue a purchase order. This repair service is needed to return ladder truck #35558, which is assigned to Fire Station No. 28, located at 3100 Chimney Rock Rd, to functional status.

Ferrara Fire Apparatus, Inc. is the original equipment manufacturer (OEM) and is the sole distributor of parts and service in the United States for this ladder fire truck. Additionally, if the OEM or its representative does not perform repairs, all existing warranties will be voided.

On June 9, 2006, this ladder truck was responding to an emergency call on Highway 59 near the 610 West Loop South. While the ladder truck was in route to the call, it was involved in an accident. The resulting accident, which occurred on Highway 59, caused substantial damage to the right side and right rear of the body of the ladder truck. The scope of work requires the contractor to furnish all labor, materials, parts and equipment to repair the damages caused by the accident. This service will include, but is not limited to, removing and replacing with new parts, all damaged components of the body, rear step area, and warning lights. In addition, subsequent to the repairs, the contractor will be required to prime and paint the damaged portion of the truck. The repairs will take approximately 30-45 days to complete and will be fully warranted for one year. The approximate replacement cost of a new ladder truck is \$775,000.00 and the vehicle has a normal useful life of 15 years.

This recommendation is made pursuant to Chapter 252, Section 252.022 (a) (7) of the Texas Local Government Code for exempted procurements.

Buyer: Mary Mitchell

REQUIRED AUTHORIZATION

F&A Director:

Other Authorization:

Other Authorization:

NOT

4-11-06

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7019

Subject: Purchase of One Spectrometer from the State of Texas Building and Procurement Commission's Contract for the Health and Human Services Department

Category #
4

Page 1 of 1

Agenda Item

19

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Finance and Administration Department

Origination Date

July 19, 2006

Agenda Date

JUL 26 2006

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected

All

For additional information contact:

Daphne Sands Phone: (713) 794-9197
Ray DuRousseau Phone: (713) 247-1735

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve the purchase of one spectrometer in the total amount of \$85,995.00 from the State of Texas Building and Procurement Commission's Contract for the Health and Human Services Department.

Award Amount: \$85,995.00

F & A Budget

\$85,995.00 - Federal Government - Grants Fund (5000)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve the purchase of one spectrometer system from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program in the total amount of \$85,995.00 for the Health and Human Services Department and that authorization be given to issue a purchase order to the state contract vendor, Varian, Inc. This new spectrometer system will be used to test wastewater and soil samples for trace metal analysis as required by the Environmental Protection Agency and the Texas Commission on Environmental Quality.

The scope of work requires the contractor to furnish all labor, equipment, materials, tools, supervision and transportation necessary to furnish and install one inductively coupled plasma spectrometer system in the Department's Central Laboratory, located at 1115 S. Braeswood. This new system consists of one inductively coupled plasma spectrometer, one mass flow controller, one laser jet, one sample introduction kit, one recirculating chiller, one calibration and test solution, one auto sampler. The contractor will also be required to provide a three day on-site training class. This unit will replace a nineteen-year-old system that has exceeded its useful life and will be sent to the Property Disposal Management Office for disposition. The new system is warranted for two years and will have a life expectancy of ten years.

Sections 271.081 through 271.093 of the Texas Local Government Code provide the legal authority for local governments to participate in the State of Texas Purchasing Program.

Buyer: Mary Mitchell

REQUIRED AUTHORIZATION

NDT

F&A Director:

Other Authorization:

Other Authorization:

REQUEST FOR COUNCIL ACTION

RCA# 6937

TO: Mayor via City Secretary

Subject: Purchase of Cameras for the Parks & Recreation Department
NC-6-7620-030-21058

Category #
4

Page 1 of 2

Agenda Item

18

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Finance and Administration Department

Origination Date

July 07, 2006

Agenda Date

JUL 26 2006

DIRECTOR'S SIGNATURE

[Signature]

Council District(s) affected

B, D, H, I

For additional information contact:

Daniel Pederson Phone: (713) 845-1248
Ray DuRousseau Phone: (713) 247-1735

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an award to Q-Star Technology, LLC on its low bid in the amount of \$54,435.00 for cameras for the Parks & Recreation Department.

Award Amount: \$54,435.00

F & A Budget

\$54,435.00 - FY03 - Federal Government - Grants Fund (5000) (CDBG)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an award to Q-Star Technology, LLC on its low bid in the amount of \$54,435.00 for cameras and mounting adapters for the Parks & Recreation Department and that authorization be given to issue a purchase order. These battery-powered cameras will be mounted at various parks throughout the City as a part of a coordinated program to reduce the occurrence of illegal dumping, graffiti, and after-hours use of the swimming pools.

This project was advertised in accordance with the requirements of the State of Texas bid laws. Four prospective bidders viewed the solicitation document on SPD's e-bidding website and three bids were received as outlined below:

<u>COMPANY</u>	<u>TOTAL AMOUNT</u>
1. Q-Star Technology, LLC	\$54,435.00
2. SpaceCenter Systems	\$63,479.00
3. BL Technology, Inc.	\$76,745.75

This purchase consists of 19 still cameras with wall mounting brackets, control modes, battery chargers, 57-rolls of 35mm film and one mounting tool. The Parks & Recreation Department's Maintenance personnel will mount these cameras on light poles or roofs of buildings at the parks listed on Page 2 of 2. The cameras are equipped with motion detectors and voice recorders and are capable of capturing a photograph at a range of 100 feet in total darkness. As motion is detected, the camera issues a message to warn the intruder. Each camera will come with a remote wireless control device and will be capable of being manually armed or set in automatic mode to operate from dusk to dawn. These new cameras and mounting brackets will come with a full one-year warranty and will have a life expectancy of five years.

REQUIRED AUTHORIZATION

F&A Director:

Other Authorization:

Other Authorization:

MDT

16-20

8

Date: 7/7/2006	Subject: Purchase of Cameras for the Parks & Recreation Department NC-6-7620-030-21058	Originator's Initials SC	Page 2 of 2
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<u>PARK</u>	<u>ADDRESS</u>	<u>COUNCIL DISTRICT</u>
Hobart Taylor	8100 Kenton	B
Lincoln	979 Grenshaw	B
Tuffy	3700 Russell	B
Mac Gregor	5225 Calhoun	D
Sunnyside	3502 Bellfort	D
Independent Heights	601 E. 35 th	H
Mason	541 S. 75 th	I
Clinton	200Mississippi	I
Emanicipation	3018 Dowling	I

Buyer: Steve Caro

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 6924

Subject: Spending Authority to Purchase Background Retrieval Database Services from the State of Texas Building and Procurement Commission's Contract for the Houston Police Department

Category #
4

Page 1 of 1

Agenda Item

19

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Finance and Administration Department

Origination Date

July 05, 2006

Agenda Date

JUL 26 2006

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected

All

For additional information contact:

Larry Yium Phone: (713) 308-1778
Ray DuRousseau Phone: (713) 247-1735

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve spending authority to purchase background retrieval database services from the State of Texas Building and Procurement Commission's Contract in an amount not to exceed \$144,000.00 for the Police Department.

Estimated Spending Authority: \$144,000.00

F & A Budget

\$144,000.00 - General Fund (1000)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve spending authority to purchase background retrieval database services from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program in an amount not to exceed \$144,000.00 for the Police Department and that authorization be given to issue purchase orders to the State contract vendor, ChoicePoint Government Services, Inc. for a 48-month term.

The scope of work requires the contractor to provide database access services that will be used by the Department to obtain timely and comprehensive criminal intelligence background data. The contractor has combined a large number of public and private databases with custom software that eliminates the need for individual potential data matches. The database system will be accessed from the Internet. The service is accessed by a secure link with advanced signal and data encryption, password protection and data cloaking, so that the information gathered is hidden from the contractor's system operating personnel. This software will be used by the Department's Criminal Intelligence and Homicide Divisions to provide the Chief of Police and staff with timely and comprehensive intelligence and background data on subjects suspected of involvement in criminal activity.

Estimated Spending Authority

DEPARTMENT	FY 2007	OUT YEARS	TOTAL
Police	\$36,000.00	\$108,000.00	\$144,000.00

Buyer: Emmanuel Melakis

REQUIRED AUTHORIZATION

F&A Director:

Other Authorization:

Other Authorization:

NOT

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 6999

Subject: Spending Authority to Address Emergency Retrofit of Fuel Transport Vehicles for the Public Works & Engineering Department
NC-7-055-024-21185

Category #
4

Page 1 of 1

Agenda Item

20

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Finance and Administration Department

Origination Date

July 17, 2006

Agenda Date

JUL 26 2006

DIRECTOR'S SIGNATURE

[Signature]

Council District(s) affected

All

For additional information contact:

Gary Norman Phone: (713) 837-7425
Ray DuRousseau Phone: (713) 247-1735

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve spending authority to address the emergency purchase of services to retrofit fuel transport vehicles in an amount not to exceed \$236,500.00 for the Public Works & Engineering Department.

Payment Amount: \$236,500.00

F & A Budget

\$236,500.00 - Fleet Management Fund (1005)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve emergency spending authority in an amount not to exceed \$236,500.00 for the emergency purchase of services to retrofit 17 fuel transport vehicles for the Public Works & Engineering Department, and that authorization be given to issue purchase orders to Adobe Equipment as necessary. These fuel transport vehicles are used to transport fuel (diesel and unleaded) to fuel sites that require less than a full truck transport load (7,600 gallons) during natural disasters such as hurricanes. These vehicles will also be used to transport fuel to these sites during non-emergencies in an effort to reduce the overall fuel cost to the City.

The City learned in June 2006 that these fuel transport vehicles were not in compliance with the environmental regulations promulgated by the Department of Transportation (DOT), Environmental Protection Agency (EPA) and the Texas Commission on Environmental Quality (TCEQ). Therefore, fuel deliveries were stopped and an emergency purchase order was issued to bring the vehicles in compliance with DOT, EPA and TCEQ regulations.

The scope of work requires the contractor to provide all components, labor, materials, equipment and tools necessary to install a Stage 1 Vapor Recovery System on the fuel transport vehicles bringing them into compliance with DOT, EPA and TCEQ regulations.

This recommendation is made pursuant to Chapter 252, Section 252.022 (a) (2) of the Texas Local Government Code for exempted procurements.

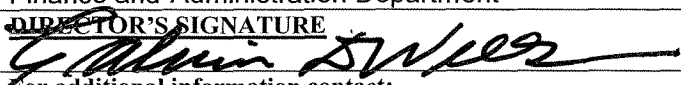
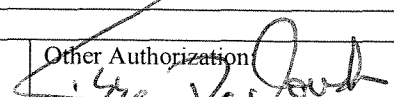
Buyer: Tom Smyer

REQUIRED AUTHORIZATION

F&A Director:

Other Authorization:

Other Authorization:

REQUEST FOR COUNCIL ACTION			
TO: Mayor via City Secretary		RCA# 6994	
Subject: Spending Authority to Address the Emergency Purchase of Fuel Transportation Services for Various Departments		Category # 4	Page 1 of 1 21
FROM (Department or other point of origin): Calvin D. Wells City Purchasing Agent Finance and Administration Department		Origination Date July 18, 2006	Agenda Date JUL 26 2006
DIRECTOR'S SIGNATURE 		Council District(s) affected All	
For additional information contact: Jacquelyn L. Nisby Phone: (713) 247-1814 Ray DuRousseau Phone: (713) 247-1735		Date and Identification of prior authorizing Council Action:	
RECOMMENDATION: (Summary) Approve spending authority to address the emergency purchase of fuel transportation services in an amount not to exceed \$124,775.00 for various departments.			
Spending Authority: \$124,775.00			F & A Budget
<p>\$124,775.00 - Central Service Revolving Fund (1002)</p> <p>SPECIFIC EXPLANATION:</p> <p>The City Purchasing Agent recommends that City Council approve spending authority in an amount not to exceed \$124,775.00 to address the purchase of fuel transportation services for various departments, and that authorization be given to issue purchase orders to Oil Patch-Brazos Valley, Inc. as necessary. These services are needed to ensure there is no interruption of the fuel supply to the City.</p> <p>Informal bids were solicited in accordance with current City policies and procedures, and one bid was received.</p> <p>The scope of work requires the contractor to provide all labor, supervision, equipment and certified fuel transport vehicles necessary to transport full truck transport loads (7,600 – 8,600 gallons) of fuel (diesel and unleaded) from the Motiva fuel loading terminals in Pasadena and Houston to various large fuel storage sites in the City of Houston. An invitation to bid has been developed for a multi-year fuel delivery contract and it is anticipated that the contract will be presented to City Council for approval within the next 60 to 90 days.</p> <p>This recommendation is made pursuant to Chapter 252, Section 252.022 (a) (2) of the Texas Local Government Code for exempted procurements.</p> <p>Buyer: Tom Smyer</p>			
REQUIRED AUTHORIZATION			
F&A Director:	Other Authorization:	Other Authorization:	NDT
			

1-10-06

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 6965

Subject: Spending Authority to Address the Emergency Purchase of Texas Low Emission Diesel and Reformulated Unleaded Fuel for Various Departments
NC 6-9130-033-21158-EP

Category #
4

Page 1 of 1

Agenda Item

22

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Finance and Administration Department

Origination Date

July 18, 2006

Agenda Date

JUL 26 2006

DIRECTOR'S SIGNATURE

[Signature]

Council District(s) affected
All

For additional information contact:

Jacquelyn L. Nisby Phone: (713) 247-1814
Ray DuRousseau Phone: (713) 247-1735

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve spending authority to address the emergency purchase of Texas low emission diesel (TXLED) and reformulated unleaded fuel in an amount not to exceed \$3,099,698.67 for various departments.

Spending Authority: \$3,099,698.67

F & A Budget

\$3,099,698.67 - Central Service Revolving Fund (1002)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve emergency spending authority in an amount not to exceed \$3,099,698.67 to address the purchase of TXLED and reformulated unleaded fuel for various departments, and that authorization be given to issue purchase orders to ADA Resources, Inc. as necessary. This emergency purchase of fuel is needed to ensure there is no interruption to the fuel supply to the City.

On May 12, 2006, the current contract fuel supplier, Petroleum Traders Corporation, informed the Strategic Purchasing Division that, due to recent changes in the additives for reformulated fuel, it could no longer perform its contractual obligations without a substantial increase in its pricing structure. After lengthy discussions and the Legal Department's advice, it was determined that it would not be in the City's best interests to approve the price increase.

The not-to-exceed spending authority will allow the City to purchase approximately 904,000 gallons of unleaded fuel and 200,000 gallons of TXLED fuel to be delivered to various fuel sites throughout the City.

The invitation to bid has been issued for a multi-year fuel contract and it is anticipated that the contract will be presented to City Council for approval within the next 60 to 90 days.

This recommendation is made pursuant to Chapter 252, Section 252.022 (a) (2) of the Texas Local Government Code for exempted procurement.

Buyer: Mary Mitchell

REQUIRED AUTHORIZATION

F&A Director:

Other Authorization:

Other Authorization:

[Signature] NOT

1-19-06

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 6993

Subject: Spending Authority to Address the Emergency Purchase of Texas Low Emission Diesel and Reformulated Unleaded Fuel for Various Departments

Category #
4

Page 1 of 1

Agenda Item

23

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Finance and Administration Department

Origination Date

July 18, 2006

Agenda Date

JUL 26 2006

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected
All

For additional information contact:

Jacquelyn L. Nisby Phone: (713) 247-1814
Ray DuRousseau Phone: (713) 247-1735

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve spending authority to address the emergency purchase of Texas low emission diesel (TXLED) and reformulated unleaded fuel in an amount not to exceed \$11,937,957.00 for various departments.

Spending Authority: \$11,937,957.00

F & A Budget

\$11,937,957.00 - Central Service Revolving Fund (1002)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve spending authority in an amount not to exceed \$11,937,957.00 to address the purchase of TXLED and reformulated unleaded fuel for various departments and that authorization be given to issue purchase orders to Motiva Enterprises LLC as necessary. This emergency purchase of fuel is needed to ensure there is no interruption to the fuel supply to the City.

Informal bids were solicited in accordance with current City policies and procedures, and two bids were received from the oil refineries listed below. The direct purchase of fuel from the refinery provides the City with 1) more favorable pricing than through a broker; 2) allows the City to contract directly with a fuel transport company to deliver fuel to its sites; and 3) during emergencies, enables City fuel trucks to retrieve fuel from the refiner once they are retrofit with equipment complying with industry and regulatory standards.

<u>Company</u>	<u>Differential Unleaded (10% Ethanol)</u>	<u>Differential Diesel (TXLED)</u>
1. Motiva Enterprises LLC	+\$0.0325	-\$0.0050
2. Valero Marketing & Supply	+\$0.0300	+\$0.1800

The not-to-exceed spending authority will allow the City to purchase approximately 2,796,400 gallons of unleaded fuel and 1,427,700 gallons of TXLED fuel. The aggregated total amount is expected to sustain the Departments until a contract can be presented to City Council for approval. An invitation to bid has been issued for a multi-year contract and it is anticipated that the contract will be presented to City Council for approval within the next 60 to 90 days.

This recommendation is made pursuant to Chapter 252, Section 252.022 (a) (2) of the Texas Local Government Code for exempted procurements.

Buyer: Mary Mitchell

REQUIRED AUTHORIZATION

F&A Director:

Other Authorization:

Other Authorization:

Ray DuRousseau

SUBJECT: Ordinance amending Chapter 33, Code of Ordinances relating to historic preservation.		Category #	Page 1 of 1	Agenda Item # 24
FROM (Department or other point of origin): Planning and Development Department		Origination Date July 19, 2006		Agenda Date JUL 26 2006
DIRECTOR'S SIGNATURE: <i>Maureen A. Gaffney</i>		Council District affected: All		
For additional information contact: Randy Pace Phone: 713-837-7796		Date and identification of prior authorizing Council action: Ord. 95-228 3/5/1995,		
RECOMMENDATION: (Summary) Adopt ordinance amending Chapter 33 of the Code of Ordinances relating to historic preservation.				
Amount and Source of Funding: NA			F & A Budget:	
SPECIFIC EXPLANATION: To expedite processing of applications for landmark or protected landmark designation, the Planning and Development Department recommends changes to the Historic Preservation ordinance: First, amend Section 33.225 to eliminate the requirement that a copy of a record of proceedings from both the HAHC and the Planning Commission be attached when the application is forwarded to Council. Waiting on signed minutes from each of these commissions can delay an application up to four months. Second, amend Section 33.226 to eliminate the requirement that the Department provide a 30 day notice of a public hearing before the HAHC for an application that was submitted by the property owner. The 30 day notice will still be required if the designation is initiated by HAHC. Third, amend Section 33.226 to require that the Department give notice to civic associations registered within the area to be notified of the HAHC public hearing. The Houston Archaeological and Historical Commission approved the amendments March 23, 2006 and the Planning Commission approved the amendments May 11, 2006. The amendments were approved by the Quality of Life of Council Committee June 20, 2006. xc: Marty Stein, Agenda Director Arturo Michel, City Attorney Deborah McAbee, Legal Department Harold L. Hurtt, Chief of Police Phil Boriskie, Fire Chief				
REQUIRED AUTHORIZATION				
F & A Director:		Other Authorization:		Other Authorization:

City of Houston, Texas, Ordinance No. 2006-_____

AN ORDINANCE AMENDING ARTICLE VII OF CHAPTER 33 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS, RELATING TO HISTORIC PRESERVATION; CONTAINING FINDINGS AND OTHER PROVISIONS RELATING TO THE FOREGOING SUBJECT; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

* * * * *

WHEREAS, the City Council of the City of Houston adopted Ordinance No. 95-228 and subsequent amendments thereto, codified as Article VI of the Code of Ordinances, City of Houston, Texas (the Historic Preservation Ordinance), which established a program of historic preservation for landmarks, protected landmarks, historic districts and archaeological sites within the City; and

WHEREAS, the City Council finds that the Historic Preservation Ordinance has been beneficial to the health, safety, and welfare of the public by preserving historic assets within the City; and

WHEREAS, the City Council finds that amendment of certain procedural requirements of the Historic Preservation Ordinance is necessary and convenient to expedite the process of designating landmarks and protected landmarks to the benefit of the owners thereof and to the public; and

WHEREAS, the City Council finds that the Houston Archaeological and Historical Commission considered the proposed amendments at its regularly scheduled meeting on March 23, 2006, and recommended to the Planning Commission approval of the proposed amendments; and

WHEREAS, the City Council finds that the Houston Planning Commission considered the proposed amendments at its regularly scheduled meeting on May 11, 2006,

and recommended approval of the proposed amendments to the City Council; **NOW, THEREFORE;**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HOUSTON, TEXAS:

Section 1. That the findings contained in the preamble of this Ordinance are determined to be true and correct and are hereby adopted as part of this Ordinance.

Section 2. That the requirements of Section 33-202(f) of the Code of Ordinances, Houston, Texas, for the Houston Archaeological and Historical Commission and the Houston Planning Commission to each conduct a public hearing on the amendments contained herein are hereby waived.

Section 3. That Subsections (c) and (d) of Section 33-225 of the Code of Ordinances, Houston, Texas, are hereby amended to read as follows:

“(c) The planning official shall submit the recommendation of the commission, which shall include the recommendation of the HAHC and the application, to the city council.

(d) The city council shall consider each application for designation after receiving a recommendation from the commission and shall decide whether to designate the property.”

Section 4. That Section 33-226 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

“Sec. 33-226. Notice requirements.

(a) The planning official shall give notice of a public hearing before the HAHC on the designation of a landmark or archaeological site initiated by the HAHC not less than 30 days before the date of the public hearing to the owner of the property at the name and address shown on the last deed recorded in the real property records of the county in which the proposed landmark or archaeological site is located. If the notice address for the owner as shown on the real property records does not coincide with the street address of the property or if the last deed shows no address, then the

planning official shall also send a notice addressed 'occupant' to the street address for the proposed landmark or archaeological site. The planning director shall also publish notice of the public hearing in a newspaper of general circulation in the city not less than 30 days before the date of the public hearing.

(b) The planning director shall provide notice of a public hearing on the designation of a landmark or archaeological site by letter, first class mail, postage paid, by facsimile transmission or by electronic mail no later than the fifth day before the date of the public hearing to:

- (1) Any civic association registered with the planning official within whose service area the potential landmark or archaeological site is located; and
- (2) If the owner of the landmark or archaeological site initiated the application for designation, the owner.

(c) The planning official shall give notice of a public hearing before the HAHC on the designation of an historic district not less than 30 days before the date of the public hearing on designation as follows:

- (1) Notice shall be given by mail (i) if the owner joined in the application, to the owner or the owner's representative at the notice address shown on the application; (ii) if the owner did not join in the application, then to the name and address shown on the last deed recorded in the real property records of the county in which the historic district is located, and, if the notice address for the owner as shown on the real property records does not coincide with the street address of the property or if the last deed shows no address, then a notice shall also be sent addressed 'occupant' to the street address for the property proposed to be included in the historic district; and (iii) to any civic associations registered with the planning official within whose service area all or part of the historic district is located;
- (2) Notice shall be published in a newspaper of general circulation in the city; and
- (3) Notice shall be posted by sign in at least four locations within the district selected by the planning official at locations reasonably calculated to be seen easily by residents of the district and where each sign will be visible from at least one public right-of-way. In addition, where, in the opinion of the

planning official, because of the size, configuration, traffic patterns or other characteristics of the proposed historic district, additional signs would be beneficial in providing notice, the planning official shall cause an appropriate number of additional signs to be posted. The signs shall conform to specifications prescribed by the planning official.

(d) At each public hearing conducted under this division before the HAHC, the planning official shall maintain a register upon which interested persons may place their names and mailing addresses. Notice of a public hearing before the commission under this division shall be given by mail to each person on the register not less than 30 days prior to the date of the hearing.

(e) Written notice that is given by mail shall be deemed given when it is deposited in the United States mail, properly addressed, postage paid. The affidavit of a person who has knowledge of the fact that notice was mailed constitutes prima facie evidence that notice has been given as required by this section.

(f) Additional notice need not be given if the public hearing is adjourned or continued to another date, provided that the date, time and place to which the public hearing is adjourned or continued are specified in the public hearing."

Section 5. That if any provision, section, subsection, sentence, clause or phrase of this Ordinance, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void or invalid, the validity of the remaining portions of this Ordinance or their applicability to other persons or sets of circumstances shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness or invalidity of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

Section 6. That there exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore,

this Ordinance shall be passed finally on that date and shall take effect immediately upon its passage and approval by the Mayor; however, in the event that the Mayor fails to sign this Ordinance within five days after its passage and adoption, it shall take effect in accordance with Article VI, Section 6, Houston City Charter.

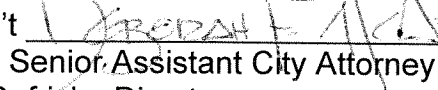
PASSED AND ADOPTED this _____ day of _____, 2006.

APPROVED this _____ day of _____, 2006.

Mayor of the City of Houston

Pursuant to Article VI, Section 6, Houston City Charter, the effective date of the foregoing Ordinance is _____.

City Secretary

Prepared by the Legal Dep't 
DFM:dfm July 17, 2006 Senior Assistant City Attorney
Requested by Marlene L. Gafrick, Director
Planning and Development Department
L.D. File No.

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ARTICLE VII. HISTORIC PRESERVATION

DIVISION 1. GENERALLY

Sec. 33-201. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Alteration means any change to the exterior of a building, structure, object or site. Alteration shall include, but is not limited to, changing to a different kind, type or size of roofing or siding materials; changing, eliminating, or adding exterior doors, door frames, windows, window frames, shutters, fences, railings, columns, beams, walls, porches, steps, porte-cocheres, balconies, or ornamentation; or the dismantling, moving or removing of any exterior feature. Alteration does not include ordinary maintenance and repair.

Archaeological means relating to the study of past human behavior through use of material remains of historic and prehistoric origin.

Archaeological site means property or a location designated by the city council on which there exists material remains of past life or past life activities that occurred on the property or at the location.

Block means one or more lots, tracts, or parcels of land bounded by streets, easements, rights-of-way, or other physical features or a combination thereof.

Blockface means the portion of a block that abuts a street.

Building means any structure used or intended for supporting or sheltering any use or occupancy.

Building permit means an official document or certificate issued by the building official authorizing performance of a specified activity, including the alteration, restoration, rehabilitation, construction, relocation or demolition of a building, structure or object.

Certificate of appropriateness means a current and valid permit issued by the HAHC or the planning official, as applicable, authorizing the issuance of a building permit for construction, alteration, rehabilitation, restoration, relocation or demolition required by this article.

Conservation plan means an inventory and analysis of historic resources within a geographic area of the city designated or proposed for designation as an historic district pursuant to the provisions of this article that contains standards for alteration, rehabilitation, restoration, construction, relocation and demolition of buildings, structures, objects or sites

in an historic district.

Construction means the act of expanding an existing building, structure or object or the erection of a new building, structure or object on a lot, site or other property.

Contributing means a building, structure, object or site that reinforces the cultural, architectural or historical significance of the historic district in which it is located.

Contributing structure means a building, structure, object or site that is identified as contributing upon the designation of the historic district in which it is located.

Demolition means an act or process that destroys in whole or in part any building, structure, object or site.

Designation means the formal recognition by the city council of a building, structure, object, site or district as historically, architecturally, culturally or archaeologically significant to the city, state, nation or region.

Excavation means to expose, uncover, or remove by digging, cutting or hollowing out.

Exterior feature means an element of the architectural character and general arrangement of the external portion of a building, structure or object, including building material, that is visible from a public right-of-way.

HAHC means the Houston archaeological and historical commission.

Historic district means a geographical area designated by the city council that possesses a significant concentration, linkage or continuity of buildings, structures, objects or sites united by historical, cultural, architectural or archaeological significance to the city, state, nation or region.

Landmark means any individual building, structure, object or site designated by the city council for its historical, cultural, architectural or archaeological significance in the city, state, nation or region.

Mandatory repair means a repair of a building or structure that is necessary to comply with article IX of chapter 10 of this Code as evidenced by an order of the hearing official or the building and standards commission or by a citation.

Noncontributing means a building, structure, object or site that does not reinforce the cultural, architectural or historical significance of the historic district in which it is located.

Noncontributing structure means a building, structure, object or site that is identified as noncontributing upon the designation of the historic district in which it is located.

Nonprofit organization means an entity organized for religious or not-for-profit purposes that holds a determination letter from the Internal Revenue Service that it is exempt from taxes under section 501(a) of the Internal Revenue Code of 1986, as amended, by virtue of section 501(c)(3) of that Code.

Object means a material thing of a functional, aesthetic, cultural, historical or scientific value that may be moveable by nature or design, yet related to a specific setting or environment.

Ordinary maintenance and repair means any work to correct or prevent deterioration, decay or damage to a building, structure, object or site (or any part thereof), provided that the work does not change the design, character, texture or material of any exterior feature or constitute an "alteration" as defined above.

Paleontological means relating to the study of all fossil remains of organisms that existed in the past.

Potentially contributing means a building, structure, object or site with incompatible alterations or deteriorating conditions that, if reversed, would reinforce the cultural, architectural or historical significance of the historic district in which it is located.

Potentially contributing structure means a building, structure, object or site that is identified as potentially contributing upon the designation of the historic district in which it is located.

Protected landmark means a landmark whose owner has elected to permanently protect the landmark by foregoing the 90-day waiver certificate authorized by this article.

Public right-of-way means an area, at grade level, of a minimum 40 feet in width, dedicated to the public for the passage of people or goods.

Qualified curatorial association means an organized and permanent non-profit institution, essentially educational or aesthetic in purpose, with professional staff, that owns and utilizes tangible objects, cares for them, and exhibits them to the public on some regular schedule, provided that the institution meets the requirements of the Council of Texas Archaeologists' Guidelines (Curation Standards and Procedures), 1992 edition, as may be amended or updated from time to time.

Real property records means the applicable records of a county in which conveyances of real property are recorded.

Rehabilitation means the act or process of returning a building, structure, object or site to a state of utility that makes possible an efficient contemporary use while preserving those portions or exterior features that are historically, architecturally and culturally significant.

Relocation means any change in the location of a building, structure or object.

Restoration means the act or process of accurately recovering the form and details of a building, structure, object or site and its setting as it appeared at a particular period of time by means of the removal of later work, or by the replacement of missing earlier work or both.

Site means property upon which a significant event occurred, including, but not limited to, any land, building or natural resource where prehistoric or historic occupations or activities occurred and the location of buildings and structures, whether standing, ruined, demolished or relocated, where the location retains historical, architectural or archaeological value and integrity.

Structure means that which is built or constructed, an edifice or building of any kind, or any piece of work artificially built up or composed of parts joined together in some definite manner.

Tract means a contiguous parcel of land under common ownership.

Working day means a day other than a Saturday, Sunday or official city holiday.

Sec. 33-202. Scope.

(a) The provisions of this article apply to the alteration, rehabilitation, restoration, construction, relocation and demolition of any building, structure, object or site that is designated as a landmark or protected landmark or that is located within an historic district or an archaeological site and to the excavation of any archaeological site.

(b) Nothing in this article shall be construed to authorize the city to regulate the use of any building, structure or property.

(c) Nothing in this article shall be construed to authorize the city to regulate the interior characteristics of any building or structure, provided that any change in the interior characteristics of a landmark, protected landmark, or contributing structure in an historic district that has the effect of changing any exterior feature shall be subject to the terms of this article. Other provisions of this Code, the Construction Code, the Fire Code or state or federal law or regulation that are applicable to any building, structure, object or site that is subject to the provisions of this article shall continue to apply.

(d) This article does not abrogate or annul any restrictive covenant contained or

incorporated by reference in a properly recorded map, plat, replat, declaration, or other instrument filed in the county real property records, map records or deed records. Any property designated as a landmark, protected landmark, or archaeological site or included within an historic district shall remain subject to the provisions of any restrictive covenants applicable to the property, and the restrictive covenants shall remain fully enforceable.

(e) The provisions of this article shall apply to buildings, structures, objects or sites that are owned by the United States of America, the State of Texas or a political subdivision of the State of Texas; provided such entities are not otherwise exempted from this article by law.

(f) Prior to any amendment of this article, the HAHC and the commission each shall conduct one public hearing to solicit public comments on the proposed amendments. The HAHC and the commission may make recommendations to the city council with respect to the proposed amendments. The provisions of this subsection shall not apply to any amendment to correct clerical errors or to make nonsubstantive changes in this article.

Sec. 33-203. Enforcement and penalties; remedies cumulative; other action not limited.

(a) The procedures set forth in this article are cumulative of all other remedies available to the city relating to the subject matter hereof. Specifically, the city attorney may institute any legal action necessary to enforce this article or enjoin or otherwise cause the abatement of any violations hereof, including legal action necessary to recover damages or require restoration or reconstruction under section 315.006 of the Texas Local Government Code. The city council finds that alteration, rehabilitation, restoration, construction, relocation or demolition of any building, structure, object or site that is subject to the provisions of this article without a certificate of appropriateness as required under this article adversely affects the structural, physical or visual integrity of the building, structure, object or site.

(b) The building official shall not issue a building permit for any activity that requires a certificate of appropriateness pursuant to this article unless the applicant for the building permit presents a certificate of appropriateness or a 90-day waiver certificate issued pursuant to section 33-250 of this Code.

(c) Any person who violates any provision of this article shall be guilty of a misdemeanor, and, upon conviction, shall be punished by a fine of not less than \$50.00 nor more than \$500.00 for each violation. Each day during which any violation of this article continues shall constitute a separate offense.

Sec. 33-204. Article supplemental.

The provisions of this article shall be cumulative of all other ordinances, laws and applicable regulations.

Secs. 33-205--33-210. Reserved.

DIVISION 2. HOUSTON ARCHAEOLOGICAL AND HISTORICAL COMMISSION

Sec. 33-211. Composition; qualifications of members.

(a) The creation of the Houston archaeological and historical commission is hereby reaffirmed. The HAHC shall consist of 11 members. Each member shall be a person who has knowledge and experience in the archaeological, architectural, cultural, social, economic, ethnic or political history of the city. The mayor shall assign a staff member to serve as a liaison between the HAHC and the mayor's office. The planning official shall serve as executive secretary to the HAHC. The archivist of the Houston public library system and the directors of building services and public works and engineering shall serve as ex officio members of the HAHC, but shall not have a vote. When HAHC business requires the involvement of other departments, representatives of those departments shall attend meetings of the HAHC upon notice by the executive secretary. The HAHC shall elect its own chair and vice-chair.

(b) The 11 members of the HAHC shall hold specific positions as follows:

- (1) Position 1 shall be filled by a professional archaeologist with knowledge of and interest in archaeology of the city.
- (2) Position 2 shall be filled by a professional historian with knowledge of and interest in the history of the city.
- (3) Position 3 shall be filled by an architectural historian.
- (4) Position 4 shall be filled by a representative of a cultural history organization.
- (5) Position 5 shall be filled by a registered architect.
- (6) Position 6 shall be filled by a landscape architect or an urban planner.
- (7) Position 7 shall be filled by a professional real estate appraiser certified to perform appraisals for the city.
- (8) Positions 8, 9, 10, and 11 shall be filled by citizen representatives.

(c) Members holding Positions 1 through 8 of the HAHC shall be appointed by the mayor, subject to confirmation by the city council. Members holding Positions 9, 10, and 11 shall be appointed by the city council. The terms of each even-numbered position shall end on March 1 of even-numbered years, and the terms of each odd-numbered position

shall end on March 1 of odd-numbered years.

(d) Each member shall serve for a term of two years and shall hold over until the member's successor is qualified.

Sec. 33-212. Meetings; vacancies; removal.

(a) The HAHC shall meet at such times and at such public places as may be required for the conduct of its business.

(b) A position on the HAHC shall be considered to be vacant if the member appointed to that position is absent from HAHC meetings three times with the period of a year, unless those absences are judged to be excusable by the mayor or a member of the mayor's staff who is designated as liaison to the HAHC.

(c) A vacancy in any position shall be filled in the manner provided for original appointments, and the person so appointed shall serve for the remainder of the unexpired term. A member may be appointed to serve consecutive terms, but not more than three full consecutive terms.

(d) Seven members of the HAHC shall constitute a quorum. Ex-officio members of the HAHC shall not be counted for purposes of determining the presence of a quorum.

Sec. 33-213. Service without pay.

Members of the HAHC shall serve without compensation.

Sec. 33-214. Responsibilities.

In addition to other responsibilities specified in this article, the responsibilities of the HAHC shall be as follows:

- (1) Adopt such rules of procedure for meetings and proceedings of the HAHC as are necessary or convenient to accomplish the purposes set out in this article;
- (2) Actively pursue and encourage the creation and maintenance of a list and maps of buildings, structures, objects, sites and areas in the city having special archaeological, historical, paleontological and historical architectural interest or value. The HAHC shall place particular emphasis upon evaluating and incorporating into the list and maps the findings of studies and surveys already completed;
- (3) Identify buildings, structures, objects, sites and areas of the city that have the potential for designation as landmarks, protected landmarks, historic districts

or archaeological sites and, where authorized by this article, initiate the process for the designation of landmarks, historic districts and archaeological sites;

- (4) Increase public awareness of the value of archaeological, historical, paleontological and historical architectural conservation by facilitating and participating in public educational programs and by recommending updates to the conservation program;
- (5) Make recommendations to the city council concerning the availability and utilization of grants from federal and state agencies, private groups and individuals, and the utilization of budgetary appropriations to promote the conservation of significant archaeological, historical, paleontological or historical architectural sites or structures in the city;
- (6) Evaluate and comment upon decisions by city departments and agencies affecting archaeological, historical, paleontological or historical architectural resources;
- (7) Assist the city in working with the Texas Historical Commission, the Texas Antiquities Committee, the Texas State Historic Preservation Officer, the Harris County Historical Commission, and other appropriate federal, state and local agencies;
- (8) Facilitate efforts of persons wishing to donate archaeological, historical, paleontological or historical architectural artifacts, materials, structures, objects or sites to the public in placing those resources with qualified curatorial associations;
- (9) Report annually to the city council the results of its work in these areas; and
- (10) Perform any other duties that the city council authorizes the HAHC to perform.

Secs. 33-215--33-220. Reserved.

DIVISION 3. DESIGNATION OF LANDMARKS, PROTECTED LANDMARKS, HISTORIC DISTRICTS AND ARCHAEOLOGICAL SITES

Sec. 33-221. Designation.

(a) The city council may designate buildings, structures, objects and sites as landmarks and protected landmarks, may designate areas as historic districts, may designate sites as archaeological sites, and may define, amend and delineate the

boundaries of any landmark, protected landmark, historic district or archaeological site as provided in this article.

(b) To encourage public participation and the resultant preservation of historical, cultural and archeological resources, the city council shall be authorized to offer owners of properties considered for designation tax exemptions and other incentives that the city council may determine appropriate, at the time of the proposed designation.

(c) Prior to action by the city council, the HAHC and the commission shall review each application for designation and make a recommendation with respect to the application, but designation shall be made only by the city council.

Sec. 33-222. Application.

(a) Application for designation of a landmark or an archaeological site shall be initiated by either:

- (1) The owner of the property for which the application is made or the owner's authorized representative; or
- (2) The HAHC upon instructing the planning official to prepare an application for designation. Within ten working days following the action of the HAHC initiating an application, the planning official shall mail notice to the owner of the property or the owner's agent, as shown on the most recent city tax roll, that the HAHC has initiated an application.

(b) Application for designation of an historic district shall be initiated by either:

- (1) The owners of at least 67 percent of the tracts in the proposed district, which tracts shall constitute 51 percent of the land area within the proposed district exclusive of street, alley and fee simple pipeline or utility rights-of-way and publicly owned land, as determined by the planning official. In case of a dispute over whether the percentage requirements have been satisfied, it shall be the burden of the challenger to establish by a preponderance of the evidence through the real property records of the county or counties in which the proposed historic district is located or other public records that the applicants have not satisfied the percentage requirements; or
- (2) The HAHC upon instructing the planning official to prepare an application for designation.

(c) Application for designation of a protected landmark shall be initiated by the owner of the property proposed for designation. Application may be made in conjunction with an application for designation of a landmark or at any time after the city council has designated the property as a landmark.

(d) The application for designation of a landmark, protected landmark, historic district or archaeological site shall be filed with the department in the form prescribed by the planning official. The application shall include a description and photographs of the property or properties and shall address each of the applicable criteria for designation contained in section 33-224 of this Code. The application for designation of an historic district shall also identify with respect to each building, structure, object or site within the proposed historic district whether it is proposed for designation as a contributing structure, a potentially contributing structure or a noncontributing structure. The application for designation of a protected landmark shall include an instrument suitable for recording in the real property records, in a form approved by the city attorney, signed by the owner indicating that the 90-day waiver provision of section 33-250 of this Code shall not apply to the protected landmark and that the property is subject to the demolition by neglect provisions of section 33-254 of this Code.

Sec. 33-223. Property pending designation.

(a) Upon initiation of an application for designation of a landmark, archaeological site or historic district that satisfies the minimum age criteria of section 33-224(b), the building, structure, object or site proposed for designation as a landmark or archaeological site and any building, structure, object or site located in an area proposed for designation as an historic district shall be subject to the requirements of division 4 of this article as though the building, structure, object, site or area had been designated by the city council. The protected status provided by the foregoing shall not apply to any building, structure or object that is less than 50 years old or that is located in a proposed historic district in which the majority of buildings, structures and objects are less than 50 years old.

(b) The protected status provided in subsection (a) above ends on the earliest of the following dates:

- (1) The day after an action of the city council rejecting an application for designation;
- (2) In the case of an application initiated by the HAHC, the day after an action of the HAHC recommending against the designation; or
- (3) In the case of an application for designation of a landmark or archaeological site initiated by the property owner, the day after the withdrawal of the application by the property owner.

For purposes of this article, an application for designation is initiated immediately upon the occurrence of either the filing of an application for designation by the requisite owners pursuant to section 33-222 of this Code or, in the case of an application initiated by the HAHC, the date a majority of the HAHC votes to authorize the preparation of an application.

Sec. 33-224. Criteria for designations.

(a) The HAHC and the commission, in making recommendations with respect to designation, and the city council, in making a designation, shall consider one or more of the following criteria, as appropriate for the type of designation:

- (1) Whether the building, structure, object, site or area possesses character, interest or value as a visible reminder of the development, heritage, and cultural and ethnic diversity of the city, state, or nation;
- (2) Whether the building, structure, object, site or area is the location of a significant local, state or national event;
- (3) Whether the building, structure, object, site or area is identified with a person who, or group or event that, contributed significantly to the cultural or historical development of the city, state, or nation;
- (4) Whether the building or structure or the buildings or structures within the area exemplify a particular architectural style or building type important to the city;
- (5) Whether the building or structure or the buildings or structures within the area are the best remaining examples of an architectural style or building type in a neighborhood;
- (6) Whether the building, structure, object or site or the buildings, structures, objects or sites within the area are identified as the work of a person or group whose work has influenced the heritage of the city, state or nation;
- (7) Whether specific evidence exists that unique archaeological resources are present; and
- (8) Whether the building, structure, object or site has value as a significant element of community sentiment or public pride.

(b) Notwithstanding the foregoing, no building, structure, object or site less than 50 years old shall be designated as a landmark, protected landmark, or archaeological site, and no area in which the majority of buildings, structures or objects is less than 50 years old shall be designated as an historic district, unless it is found that the building, structure, object, site or area is of extraordinary importance to the city, state or nation for reasons not based on age.

Sec. 33-225. Procedures for designation of landmark, historic district and archaeological site.

(a) The HAHC shall review each application for designation of a landmark, historic district, and archaeological site and shall conduct a public hearing on each application. The planning official shall make a record of the public hearing. The HAHC shall consider the application and evidence presented at the public hearing. After due consideration, the HAHC shall determine whether to recommend the designation, provided, however, that if the HAHC does not act with respect to an application for designation within 60 days of the public hearing before the HAHC on the designation, the HAHC shall be deemed to have recommended against the designation. The recommendation of the HAHC, which shall include the basis for the recommendation, shall be in writing and shall be submitted to the commission. If the HAHC initiates the application, but recommends against designation upon consideration of the completed application, the application shall be withdrawn and no recommendation shall be submitted to the commission.

(b) The commission shall review each application for designation after receiving a recommendation from the HAHC and shall conduct a public hearing on the application. The planning official shall make a record of the public hearing. The commission shall consider the application, the recommendation of the HAHC and evidence presented at the public hearing. After the close of the public hearing, the commission shall determine whether to recommend the designation, provided, however, that if the commission does not act with respect to an application for designation within 60 days of the public hearing before the commission on the designation, the commission shall be deemed to have concurred in the recommendation of the HAHC. The recommendation of the commission, which shall include the basis for the recommendation, shall be in writing.

(c) The <planning official shall submit the> recommendation of the commission ~~{and the record of all proceedings}~~, which shall include the recommendation of the HAHC ~~{}~~ <and> the application ~~{and the record of each public hearing, shall be submitted}<,>~~ to the city council.

(d) The city council shall consider each application for designation after receiving a recommendation and the record of all proceedings from the commission and shall decide whether to designate the property.

(e) The city secretary shall maintain a copy of a map identifying each landmark, historic district and archaeological site designated by the city council, and additional copies shall be maintained by the planning official and the building official. The planning official shall file for recordation in the real property records of the county or counties in which the designated property is located each action of the city council designating a landmark, historic district or archaeological site.

Sec. 33-226. Notice requirements.

(a) ~~{Notice}~~ <The planning official shall give notice> of a public hearing before the HAHC on the designation of a landmark or archaeological site ~~{shall be given}~~ <initiated> by the ~~{planning official no}~~ <HAHC not> less than 30 days before the date of the public hearing ~~{on designation as follows: (1) Notice shall be given by mail (i) if the owner initiated the application,}~~ to the owner of the property ~~{for which the application for designation is made, or to the owner's representative, at the notice address shown on the application; (ii) if the owner did not initiate the application, then to}~~ <at > the name and address shown on the last deed recorded in the real property records of the county in which the proposed landmark or archaeological site is located~~{, and, if}~~. <If> the notice address for the owner as shown on the real property records does not coincide with the street address of the property or if the last deed shows no address, then ~~{a notice}~~ <the planning official> shall also ~~{be sent}~~ <send a notice> addressed "occupant" to the street address for the proposed landmark or archaeological site~~<. The planning director shall also publish notice of the public hearing>{, and (iii) to any civic associations registered with the planning official within whose service area the potential landmark or archaeological site is located; and (2) Notice shall be published}~~ in a newspaper of general circulation in the city <not less than 30 days before the date of the public hearing.

(b) The planning director shall provide notice of a public hearing on the designation of a landmark or archaeological site by letter, first class mail, postage paid, by facsimile transmission or by electronic mail no later than the fifth day before the date of the public hearing to:

- (1) Any civic association registered with the planning official within whose service area the potential landmark or archaeological site is located; and
- (2) If the owner of the landmark or archaeological site initiated the application for designation, the owner.

(c) The planning official shall give notice~~{(b) Notice}~~ of a public hearing before the HAHC on the designation of an historic district ~~{shall be given by the planning official no}~~ <not> less than 30 days before the date of the public hearing on designation as follows:

- (1) Notice shall be given by mail (i) if the owner joined in the application, to the owner or the owner's representative at the notice address shown on the application; (ii) if the owner did not join in the application, then to the name and address shown on the last deed recorded in the real property records of the county in which the historic district is located, and, if the notice address for the owner as shown on the real property records does not coincide with the street address of the property or if the last deed shows no address, then a notice shall also be sent addressed "occupant" to the street address for the property proposed to be included in the historic district; and (iii) to any civic associations registered with the planning official within whose service area

all or part of the historic district is located;

- (2) Notice shall be published in a newspaper of general circulation in the city; and
- (3) Notice shall be posted by sign in at least four locations within the district selected by the planning official at locations reasonably calculated to be seen easily by residents of the district and where each sign will be visible from at least one public right-of-way. In addition, where, in the opinion of the planning official, because of the size, configuration, traffic patterns or other characteristics of the proposed historic district, additional signs would be beneficial in providing notice, the planning official shall cause an appropriate number of additional signs to be posted. The signs shall conform to specifications prescribed by the planning official.

~~{{(e)}}~~<(d)> At each public hearing conducted under this division before the HAHC, the planning official shall maintain a register upon which interested persons may place their names and mailing addresses. Notice of a public hearing before the commission under this division shall be given by mail to each person on the register not less than 30 days prior to the date of the hearing.

~~{{(d)}}~~<(e)> Written notice that is given by mail shall be deemed given when it is deposited in the United States mail, properly addressed, postage paid. The affidavit of a person who has knowledge of the fact that notice was mailed constitutes prima facie evidence that notice has been given as required by this section.

~~{{(e)}}~~<(f)> Additional notice need not be given if the public hearing is adjourned or continued to another date, provided that the date, time and place to which the public hearing is adjourned or continued are specified in the public hearing.

Sec. 33-227. Amendment; changes in boundary.

Amendment of any designation of any landmark, protected landmark, historic district or archaeological site and any change in the boundaries of any historic district or archaeological site shall require action by the city council and shall follow the procedures for application, notice, public hearing and recommendation by HAHC and the commission used for the original designation of the landmark, historic district or archaeological site. Nothing herein shall be construed to require the city council to follow all of the procedures used in the original designation if the amendment is solely for the purpose of correcting minor technical errors, including, but not limited to, errors in property descriptions, that are necessary to implement the intent of the city council with respect to the designation.

Sec. 33-228. Certificate of non-designation.

- (a) The planning official shall issue a certificate of non-designation with respect to

any building, structure, object, site, property or area, upon application by the owner of the building, structure, object, site, property or area or the owner's agent, if the planning official finds that the subject of the application:

- (1) Has not been designated by the city council as a landmark or archaeological site; and
- (2) Is not located within the boundaries of an historic district designated by the city council, or, if located within an historic district, has been withdrawn from the requirements of division 4 of this article pursuant to section 3 of Ord. No. 95-228; and
- (3) Is not the subject of an application for designation of a landmark or archaeological site filed with the department or requested by the HAHC to be prepared; and
- (4) Is not located in an area for which application for designation as an historic district has been filed with the department or has been requested by the HAHC to be prepared; and
- (5) Has not been issued or denied a certificate of non-designation within the 12 months preceding the application.

(b) The application for a certificate of non-designation shall be accompanied by a nonrefundable fee of \$25.00.

(c) The certificate of non-designation shall expire six months after the date of its issuance and shall be evidence that the subject of the certificate of non-designation will not be subject to the provisions of this article for a period of six months from the date of issuance of the certificate of non-designation. The certificate of non-designation shall run with the land and may not be transferred to any other building, structure, object, site, property or area.

(d) If the planning official finds that the subject of an application does not qualify for a certificate of non-designation, the planning official shall deny the application and shall notify the applicant in writing of the denial.

(e) Following notice and an opportunity for hearing, the planning official may revoke a certificate of non-designation that is found to have been issued in error.

(f) If the city council designates as a landmark or archaeological site a building, structure, object or site that is the subject of an unexpired certificate of non-designation, the designation shall not be effective until the expiration of the certificate of non-designation. If the city council designates an historic district, the designation shall not be effective with respect to an individual building, structure, object or site located within the

historic district that is the subject of an unexpired certificate of non-designation until the expiration of the certificate of non-designation with respect to the individual building, structure, object or site.

Sec. 33-229. Designation of protected landmark.

(a) The HAHC shall review each application for designation of a protected landmark that is included in an application for designation of a landmark at the same time and in the same manner as it reviews and considers the application for landmark. The HAHC shall not recommend a property to be designated as a protected landmark unless the property:

- (1) Meets at least three of the criteria for designation in section 33-224 of this Code;
- (2) Was constructed before 1905;
- (3) Is listed individually or as a contributing structure in an historic district on the National Register of Historic Places; or
- (4) Is recognized by the State of Texas as a Recorded State Historical Landmark.

(b) If the HAHC reviews an application for designation of a protected landmark initiated after the designation of the landmark, the HAHC shall review the basis for its initial recommendation for designation and may recommend designation of the landmark as a protected landmark if the landmark:

- (1) Met at least three of the criteria of section 33-224 of this Code at the time of its designation or, based upon additional information considered by the HAHC, the landmark then meets at least three of criteria of section 33-224 of this Code;
- (2) Was constructed before 1905;
- (3) Is listed individually or as a contributing structure in an historic district on the National Register of Historic Places; or
- (4) Is recognized by the State of Texas as a Recorded State Historical Landmark.

(c) The recommendation of the HAHC shall be submitted to the commission and the city council pursuant to section 33-225 of this Code.

(d) The city secretary shall maintain a copy of a map identifying each protected landmark designated by the city council, and additional copies shall be maintained by the

planning official and the building official. The planning official shall file for recordation in the real property records of the county or counties in which the designated property is located notice of each action of the city council designating a protected landmark and the form submitted by the owner pursuant to subsection 33-222(d) of this Code.

Secs. 33-230--33-235. Reserved.

DIVISION 4. CERTIFICATES OF APPROPRIATENESS

Sec. 33-236. Prohibited activities; offense.

(a) No person shall alter, rehabilitate, restore or construct any exterior feature of a landmark or protected landmark without a certificate of appropriateness.

(b) No person shall alter, rehabilitate, restore or construct any exterior feature of any building, structure or object within an historic district without a certificate of appropriateness.

(c) No person shall excavate any archaeological site; alter, rehabilitate, restore or construct any exterior feature of any building, structure or object located on or in an archaeological site; or demolish any building, structure or object located on or in an archaeological site without a certificate of appropriateness.

(d) No person shall relocate any landmark or protected landmark without a certificate of appropriateness.

(e) No person shall relocate any building, structure or object within, into or out of an archaeological site without a certificate of appropriateness.

(f) No person shall relocate any building, structure or object within or into an historic district or relocate a contributing structure out of an historic district without a certificate of appropriateness, provided that a certificate of appropriateness shall not be required to relocate a noncontributing structure to a location outside of the historic district in which it is located.

(g) No person shall demolish any landmark, protected landmark, or any building, structure or object within an historic district without a certificate of appropriateness.

(h) No person shall conduct any mandatory repair of a landmark, protected landmark, or of a building, structure or object within an historic district or archaeological site without a certificate of appropriateness.

(i) It shall be unlawful for any person to alter, rehabilitate, restore, construct, relocate or demolish any landmark, protected landmark, or any building, structure or object in an historic district or archaeological site, or excavate any archaeological site, without

complying with the provisions of this article. It is a defense to prosecution under this section that the director of public works and engineering or a deputy director or an assistant director having supervisory responsibilities over the issuance of building permits has determined (1) that the work to be performed is necessary to correct conditions that are in violation of the life safety requirements for existing buildings as set forth in Chapter 34 and Appendix L of the Building Code; (2) that the work to be performed is the only means for achieving compliance with the life safety requirements; and (3) that, based upon the nature of the life safety violations and the risks associated with their continuation, the provisions of this article should be waived to the extent of the life safety requirements.

(j) Any application for amendment to a pending certificate of appropriateness application or building permit application or a certificate of appropriateness or building permit that has been issued under the provisions of this section that would affect any part of the work that is within the scope of this article, as set forth in section 33-202 of this Code, shall be considered as though it were an original application for the purposes of this division.

Sec. 33-237. Exemption.

A certificate of appropriateness is not required for ordinary maintenance and repair. The operation of this section shall constitute an affirmative defense to prosecution under section 33-236 of this Code.

Sec. 33-238. Application.

An application for a certificate of appropriateness may be filed before, at the same time as or after the filing of an application for a building permit, but the 90-day period provided for in section 33-250 of this Code shall not begin until a completed application for a certificate of appropriateness is filed with the planning official. An applicant for a building permit may request the building official to review and process the application for a building permit during the 90-day period provided for in section 33-250 of this Code, but no building permit shall be issued until the applicant for the building permit presents a certificate of appropriateness or a 90-day waiver certificate issued pursuant to section 33-250 of this Code.

Application for a certificate of appropriateness shall be made by the owner of the property for which the application is requested or by the owner's agent. When necessary for the city to enforce the provisions of article IX of chapter 10 of this Code, the neighborhood protection official shall apply for any necessary certificate of appropriateness. Applications shall be filed with the planning official and shall contain the following information:

- (1) The name, address and daytime telephone number of the owner and the applicant, if different from the owner;

- (2) The address and general description of the property that is the subject of the application;
- (3) A statement of whether the intended action by the applicant is:
 - a. Demolition;
 - b. Relocation;
 - c. Alteration;
 - d. Restoration;
 - e. Rehabilitation;
 - f. New construction;
 - g. Excavation; or
 - h. Mandatory repair;
- (4) A current photograph of the subject of the application; and
- (5) Either:
 - a. A rendering of the exterior of the subject of the application as it will appear upon completion of the proposed activity; or
 - b. A description of the work intended to be done, the materials to be used and the changes to be made.

If any plans and specification are required to secure a building permit, a copy of the plans and specifications shall be submitted with the application for certificate of appropriateness. There shall be no fee for the filing of an application for a certificate of appropriateness.

Sec. 33-239. Procedures.

The HAHC shall consider an application for certificate of appropriateness at a regular meeting within 35 days of the date the application for certificate of appropriateness is filed with the planning official or at a later time mutually agreed upon in writing by the planning official and the applicant. The HAHC may continue its consideration of an application for a certificate of appropriateness to its next regular meeting upon finding that specific information is needed by the HAHC to enable it to reach its decision or upon

agreement with the applicant for a continuance. If the HAHC does not act upon an application for a certificate of appropriateness within the later of 70 days from the date the application is filed with the planning official or 35 days after the date mutually agreed on by the applicant and planning official for review of the application by the HAHC, the application shall be deemed approved, unless the applicant consents in writing to an extension to a specified date.

Sec. 33-240. Criteria for issuance of certificates of appropriateness--General.

Except as provided in sections 33-248 and 33-249 of this Code, the HAHC shall review and approve, approve with conditions, or disapprove a certificate of appropriateness pursuant to the applicable specific criteria in this division or, if a conservation plan for an historic district has been approved pursuant to section 33-268 of this Code, the criteria in the conservation plan. The applicant for a certificate of appropriateness shall have the burden of demonstrating that the application satisfies the criteria applicable to the issuance of the certificate of appropriateness. To approve or disapprove an application for a certificate of appropriateness, the HAHC shall consider and make findings with respect to the relationship between the proposed activity and the applicable criteria. The HAHC shall take into consideration the current needs of the applicant and shall be sensitive to the property owner's financial condition in determining whether to issue a certificate of appropriateness.

Sec. 33-241. Same--Alteration, rehabilitation, restoration and construction.

(a) The HAHC shall issue a certificate of appropriateness for the alteration, rehabilitation, restoration or construction of an exterior feature of (i) any landmark, (ii) protected landmark, (iii) any building, structure or object in an historic district, or (iv) any building, structure or object that is part of an archaeological site, upon finding that the application satisfies the following criteria, as applicable:

- (1) The proposed activity must retain and preserve the historical character of the property;
- (2) The proposed activity must contribute to the continued availability of the property for a contemporary use;
- (3) The proposed activity must recognize the building, structure, object or site as a product of its own time and avoid alterations that seek to create an earlier or later appearance;
- (4) The proposed activity must preserve the distinguishing qualities or character of the building, structure, object or site and its environment;
- (5) The proposed activity must maintain or replicate distinctive stylistic exterior features or examples of skilled craftsmanship that characterize the building,

structure, object or site;

- (6) New materials to be used for any exterior feature must be compatible with the materials being replaced in composition, design, texture and other visual qualities;
- (7) The proposed replacement of missing exterior features, if any, should be based on accurate duplication of features, substantiated by available historical, physical or pictorial evidence, where that evidence is available, rather than on conjectural designs or the availability of different architectural elements from other structures;
- (8) Proposed additions or alterations must be done in a manner that, if removed in the future, would leave unimpaired the essential form and integrity of the building, structure, object or site;
- (9) The proposed design for alterations or construction must not destroy significant historical, architectural or cultural material and must be compatible with the size, scale, material and character of the property and the area in which it is located;
- (10) The setback of any proposed construction or alteration must be compatible with existing setbacks along the blockface and facing blockface(s); and
- (11) The proposed activity will comply with any applicable deed restrictions.

(b) In reviewing applications for certificates of appropriateness under this section, the HAHC shall also consider any elements of the proposed activity that may be necessary to enable the property to comply with any other applicable city ordinances or state or federal law so as to facilitate compliance with this ordinance and other applicable laws.

Sec. 33-242. Same--New construction in historic district.

The HAHC shall issue a certificate of appropriateness for new construction in an historic district upon finding that the application satisfies the following criteria:

- (1) The new construction must be compatible with the setbacks along the blockface and facing blockface(s);
- (2) The exterior features of new construction must be compatible with the exterior features of structures along the blockface or facing blockface(s); and
- (3) The proportions of the new construction, including height, width, length and roofline, must be compatible with structures and objects along the blockface or facing blockface(s).

Nothing in the foregoing shall be construed to require or impose a single architectural style in any historic district.

Sec. 33-243. Same--Relocation of landmark, protected landmark, contributing structure or potentially contributing structure.

(a) The HAHC shall issue a certificate of appropriateness for the relocation of any landmark, protected landmark, contributing structure or potentially contributing structure upon finding that the application satisfies one or more of the following criteria:

- (1) The landmark, protected landmark, contributing structure or potentially contributing structure:
 - a. Has architectural or historical value independent of its physical location that will not be diminished with relocation;
 - b. Can be moved without significant damage to its physical integrity;
 - c. Will be relocated to an area that is compatible with the historical and architectural character of the landmark, protected landmark, contributing structure or potentially contributing structure; and
 - d. If located in an historic district, can be relocated without significantly diminishing the integrity of the historic district in which it is located.
- (2) The relocation is necessary to protect the landmark, protected landmark, contributing structure or potentially contributing structure from demolition resulting from a public improvement project;
- (3) The applicant has established an unreasonable economic hardship pursuant to the criteria of section 33-247(a)(1) of this Code; or
- (4) The applicant has established unusual or compelling circumstances pursuant to section 33-247(a)(3) of this Code.

(b) Alternatively, the HAHC shall issue a certificate of appropriateness for relocation if relocation of the landmark, protected landmark, contributing structure or potentially contributing structure has been identified as an alternative to demolition pursuant to section 33-247(b)(2) of this Code.

Sec. 33-244. Same--Relocation of noncontributing structure.

The HAHC shall issue a certificate of appropriateness for the relocation of a noncontributing structure within or into an historic district upon finding that the application satisfies the criteria in section 33-242 of this Code as if it were new construction.

Sec. 33-245. Same--Relocation of a building, structure or object on archaeological site.

The HAHC shall issue a certificate of appropriateness for the relocation of a building, structure or object within, into or out of an archaeological site upon finding that the application satisfies the following criteria:

- (1) The relocation will not destabilize any archaeological resources within or on the archaeological site; and
- (2) The relocation will comply with the requirements of section 33-246 of this Code.

Sec. 33-246. Same--Excavation.

The HAHC shall issue a certificate of appropriateness for the excavation of an archaeological site upon finding that the application meets the following criteria:

- (1) The excavation must be conducted so as to protect and preserve archaeological resources affected by, or adjacent to, the excavation; and
- (2) The applicant must commit to make reasonable efforts to mitigate and stabilize archaeological resources if they are disturbed.

Sec. 33-247. Same--Demolition of landmark, protected landmark, contributing structure, potentially contributing structure or within archaeological site.

(a) The issuance of a certificate of appropriateness for the demolition of a landmark, a protected landmark, a contributing structure or a potentially contributing structure or for demolition of a building, structure or object on or in an archaeological site shall be subject to the establishment by the applicant of an unreasonable economic hardship or the establishment of an unusual and compelling circumstance.

- (1) Determination of an unreasonable economic hardship shall be based upon the following criteria:
 - a. That the property is incapable of earning a reasonable return, without regard to whether the return is the most profitable return, including without limitation, whether the costs of maintenance or improvement of the property exceed its fair market value;
 - b. That the property cannot be adapted for any other use, whether by the current owner, by a purchaser or by a lessee, that would result in a reasonable return; and

- c. That efforts to find a purchaser or lessee interested in acquiring the property and preserving it have failed.
- (2) With respect to a nonprofit organization, the city council recognizes that the determination of unreasonable economic hardship may depend on factors that are not applicable to an individual or a for-profit enterprise. To assist the HAHC in determining whether a nonprofit organization has met the criteria of item (1) above, the nonprofit organization may present and the HAHC may consider the following information:
 - a. The amount paid for the property, the date of purchase, and the party from whom the property was purchased, including a description of the relationship, whether business or familial, if any, between the owner and the person from whom the property was purchased;
 - b. The assessed value of the land and improvements thereon according to the most recent assessment, or, if the property is exempt from local property taxes, a certified appraisal of the value of the property conducted by a qualified real estate appraiser;
 - c. Financial information for the previous two years, which shall include, at a minimum, the annual gross income of the nonprofit organization; itemized operating and maintenance expenses; real estate taxes or payments made in lieu of real property taxes, if any; annual debt service; and annual cash flow;
 - d. All appraisals obtained by the owner in connection with the acquisition, purchase, donation, or financing of the property, or during the ownership of the property;
 - e. All listings of the property for sale or rent, price asked and offers received, if any;
 - f. Any consideration by the owner of uses and adaptive reuses of the property;
 - g. Identification of reasonable reuses for the property within the context of the property and its location;
 - h. Rehabilitation cost estimates for the identified uses or reuses, including the basis of the cost estimates;
 - i. The current standard of building and maintenance costs for the performance of the mission or function of the nonprofit corporation, particularly in the Houston and Texas areas;

- j. A comparison of the cost of performance of the mission or function of the nonprofit organization in the existing building and in a new building, and a comparison of the cost of rehabilitation of the existing building with the demolition of the existing building and the construction of a new building;
 - k. The impact of the reuse of the existing building on the financial condition of the nonprofit organization;
 - l. The impact of the reuse of the existing building on the organization's program, function or mission;
 - m. The additional cost, if any, attributable to the building of performing the nonprofit organization's function within the context of costs incurred by comparable organizations, particularly in the Houston area;
 - n. Grants received, applied for or available to maintain or approve the property;
 - o. The nonprofit organization's budget for the current and immediately past fiscal years; and
 - p. Consideration, if any, given by the nonprofit organization to relocation.
- (3) Determination of the existence of an unusual or compelling circumstance shall be based upon the following criteria:
- a. That current information does not support the historic or archaeological significance of the building, structure or object or its importance to the integrity of an historic district, if applicable;
 - b. Whether there are definite plans for reuse of the property if the proposed demolition is carried out and what effect such plans have on the architectural, cultural, historical or archaeological character of the surrounding area; and
 - c. Whether reasonable measures can be taken to save the building, structure or object from further deterioration, collapse, arson, vandalism or neglect.

If the HAHC determines that the applicant has demonstrated an unreasonable hardship or the existence of an unusual or compelling circumstance by a preponderance of credible evidence, the HAHC shall issue a certificate of appropriateness for demolition.

(b) If the HAHC does not issue a certificate of appropriateness for demolition pursuant to subsection (a), the planning official and the applicant shall explore alternatives to demolition. It shall be the duty of an applicant for a certificate of appropriateness for demolition to participate in good faith in a diligent effort to identify alternatives to demolition. The HAHC, the planning official and the applicant may consult with recognized historic preservation organizations and other civic groups, public agencies and interested citizens to determine the feasibility of:

- (1) Public or other acquisition of the property, structure, building or object;
- (2) Relocating one or more of the structures or features of the property if to do so would preserve its historic or architectural value; or
- (3) Any other reasonable means of preserving the property, structure, building or object's historic or architectural value.

Sec. 33-248. Same--Demolition of noncontributing structure.

The planning official shall issue a certificate of appropriateness for demolition of a noncontributing structure upon determining that the building, structure or object for which the certificate of appropriateness is requested was identified as a noncontributing structure upon the designation of the historic district in which it is located.

Sec. 33-249. Same--Mandatory repair.

(a) The planning official shall issue a certificate of appropriateness for mandatory repair of a landmark, protected landmark, or of a building, structure or object within an historic district or archaeological site upon application and review of the order or citation requiring the mandatory repair if the planning official finds that the proposed mandatory repair is necessary to comply with the order or citation and will not result in a change in the architectural, historical, archaeological or cultural character of the landmark, protected landmark, or of the building, structure or object in the historic district or archaeological site that existed prior to the issuance of the order or citation. The planning official shall consider the criteria in section 33-241 in reviewing the application and making the findings required by this section.

(b) If the planning official does not issue a certificate of appropriateness for mandatory repair within three working days following receipt of the application or a later date mutually agreeable to the applicant and the planning official, or if the planning official denies the application, the application shall be submitted to the HAHC for consideration as if it were an application for a certificate of appropriateness for alteration, rehabilitation, restoration or construction pursuant to section 33-241 of this Code.

Sec. 33-250. Ninety-day waiver certificate.

(a) Except as provided in subsection (c) of this section, if for any reason a certificate of appropriateness has not been issued on or before the ninetieth day following the filing of a complete application for a certificate of appropriateness with the planning official, then the applicant, upon request to the planning official, shall be entitled to the immediate issuance of a 90-day waiver certificate, which shall for all purposes be the equivalent of a certificate of appropriateness.

(b) Before the expiration of the 90 days, the applicant shall consult with department staff to explore alternatives to the actions proposed by the applicant to mitigate the reasons for which the certificate was denied. Notwithstanding the foregoing, any property for which a 90-day waiver certificate is granted pursuant to the provisions of this section shall not be eligible for any tax exemptions or other financial benefit authorized by the city council for the property based on its designation pursuant to this article.

(c) The planning official shall not issue a 90-day waiver certificate for any protected landmark.

Sec. 33-251. Emergency action; securing dangerous buildings.

Nothing in this division shall limit the ability of the city to demolish, to order the demolition of, or to order any other action with respect to, any building, structure or object that the building official determines to be an imminent danger to the health, life or safety of any person. No certificate of appropriateness shall be required for a demolition or other action ordered by the building official pursuant to section 10-431 of this Code or for the securing of a building pursuant to section 10-377 of this Code.

Sec. 33-252. Conditions.

In granting any certificate of appropriateness, if the HAHC has reason to believe that the activity for which the certificate of appropriateness is required may result in the disturbance of any archaeological or paleontological resource, the HAHC may require, as a condition of the certificate of appropriateness, that the applicant submit a construction plan demonstrating actions that the applicant will undertake to mitigate the disturbance and loss of archaeological or paleontological resources.

Sec. 33-253. Appeal.

(a) An applicant aggrieved by a decision of the HAHC with respect to any certificate of appropriateness may appeal to the commission by filing a written notice of appeal, stating the grounds for the appeal, with the planning official within ten days following the date the HAHC renders its decision.

(b) The commission shall consider the appeal at its first regularly scheduled meeting for which required notice can be given. The commission shall consider the application, the findings of the HAHC and any evidence presented at the meeting at which

the appeal is considered. The commission shall reverse or affirm the decision of the HAHC based upon the criteria applicable to the certificate of appropriateness. The decision of the commission shall be final. If the commission does not make a decision on the appeal within 30 days following the commission's hearing on the appeal, the decision of the HAHC with respect to the application for the certificate of appropriateness shall be deemed affirmed.

(c) The planning official shall provide the applicant with notice of the time and place of the meeting at which the appeal will be considered by mail no less than ten days before the date of the meeting.

Sec. 33-254. Demolition by neglect.

The owner of a protected landmark shall not permit the protected landmark to fall into a serious state of disrepair so as to result in the deterioration of any exterior architectural feature. The city should establish rules and procedures by which neighboring landowners and residents could initiate processes to remove landmarks in a serious state of disrepair from protected status.

Sec. 33-255. Validity.

A certificate of appropriateness shall be valid for one year from its effective date.

Sec. 33-256. Amendment.

A certificate of appropriateness may be amended, modified or extended only in accordance with the procedures and criteria established for its original approval.

Secs. 33-256--33-265. Reserved.

DIVISION 5. CONSERVATION PLANS

Sec. 33-266. Plan optional.

The applicant for the designation of an historic district may prepare and submit a proposed conservation plan as part of the application.

Sec. 33-267. Requirements.

The proposed historic district conservation plan shall contain:

- (1) A map and description of the proposed historic district, including boundaries; photographs of buildings in the district; an inventory of the age, setting, character and architectural, cultural or historical significance of structures in

the district; and objectives to be achieved in the historic district;

- (2) A statement of the architectural, cultural or historical significance of the proposed historic district and a description of structures and features to be preserved; and
- (3) A set of specific standards for reviewing applications for certificates of appropriateness for demolition, construction, alteration, rehabilitation, restoration and relocation that will preserve the integrity of the historic district.

Sec. 33-268. Approval; effect of approval; amendment.

(a) The proposed conservation plan shall be considered as part of the application for the designation of the proposed district and shall require the approval of the city council.

(b) After approval, the HAHC and the commission shall use the conservation plan criteria for granting or denying applications for certificates of appropriateness for applicable activities within the boundaries of the historic district.




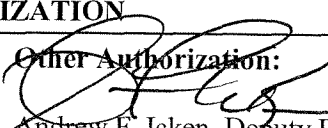
(c) A conservation plan may be amended from time to time in the same manner and following the same procedures used in the original approval of the conservation plan and designation of the district. No amendment shall be effective unless it is approved by the city council.

Sec. 33-269. Staff assistance.

When the city is the applicant for the designation of an historic district, the department shall prepare any proposed conservation plan.

Secs. 33-270--33-300. Reserved.

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SUBJECT: Ordinance authorizing the abandonment and sale of Hurley Street, from Shoreham Avenue east to its terminus, in exchange for the conveyance to the City of a 5-foot-wide utility easement along the east end of Hurley Street, located between Blocks 2 and 3, Shoreham Place Subdivision. Parcels SY5-059, SY5-062, VY5-013, and VY5-014		Category # 7	Page <u>1</u> of <u>2</u>	Agenda Item # 26
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date 7-19-06		Agenda Date JUL 26 2006
DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., DEE, Director		Council District affected: H Key Map 454A 		
For additional information contact: Nancy P. Collins Phone: (713) 837-0881  Senior Assistant Director-Real Estate		Date and identification of prior authorizing Council Action: C.M. 2005-0842 (8/31/05)		
RECOMMENDATION: (Summary) It is recommended City Council approve an ordinance authorizing the abandonment and sale of Hurley Street, from Shoreham Avenue east to its terminus, in exchange for a consideration of \$7,824.00 plus the conveyance to the City of a 5-foot-wide utility easement along the east end of Hurley Street, located between Blocks 2 and 3, Shoreham Place Subdivision. Parcels SY5-059, SY5-062, VY5-013, and VY5-014				
Amount and Source of Funding: Not Applicable			F & A Budget:	
SPECIFIC EXPLANATION: By Council Motion 2005-0842, City Council authorized the subject transaction. Key West Interests, LLC (Harry Kalsch, Director), an abutting property owner, plans to use the property being abandoned and sold as additional parking for its auto mechanic business and Jose Raul Velazco, the other abutting property owner, plans to incorporate the property being abandoned and sold into his abutting property for landscaping. Key West Interests, LLC and Jose Raul Velazco have complied with the council motion requirements, have accepted the City's offer, and have rendered payment in full. The City will abandon and sell to Key West Interests, LLC: Parcel SY5-059 4,012-square-foot portion Hurley Street \$4,012.00 In exchange, Key West Interests, LLC will pay: Cash \$3,912.00 Plus convey to the City: Parcel VY5-013 200-square-foot utility easement \$100.00 TOTAL CASH AND CONVEYANCE <u>\$4,012.00</u>				
s:\tpl\sy5-059.rc2.doc			CUIC #20PSM180	
REQUIRED AUTHORIZATION				
F&A Director:	Other Authorization:	 Andrew F. Icken, Deputy Director Planning and Development Services Division		

Date:	Subject: Ordinance authorizing the abandonment and sale of Hurley Street, from Shoreham Avenue east to its terminus, in exchange for the conveyance to the City of a 5-foot-wide utility easement along the east end of Hurley Street, located between Blocks 2 and 3, Shoreham Place Subdivision. Parcels SY5-059, SY5-062, VY5-013, and VY5-014	Originator's Initials	Page <u>2</u> of <u>2</u>
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The City will abandon and sell to Jose Raul Velazco:

Parcel SY5-062

4,012-square-foot portion Hurley Street \$4,012.00

In exchange, Jose Raul Velazco will pay:

Cash \$3,912.00

Plus convey to the City:

Parcel VY5-014

200-square-foot utility easement \$100.00

TOTAL CASH AND CONVEYANCE

\$4,012.00

Therefore, it is recommended City Council approve an ordinance authorizing the abandonment and sale of Hurley Street, from Shoreham Avenue east to its terminus, in exchange for a consideration of \$7,824.00 plus the conveyance to the City of a 5-foot-wide utility easement along the east end of Hurley Street, located between Blocks 2 and 3, Shoreham Place Subdivision.

MSM:NPC:psm

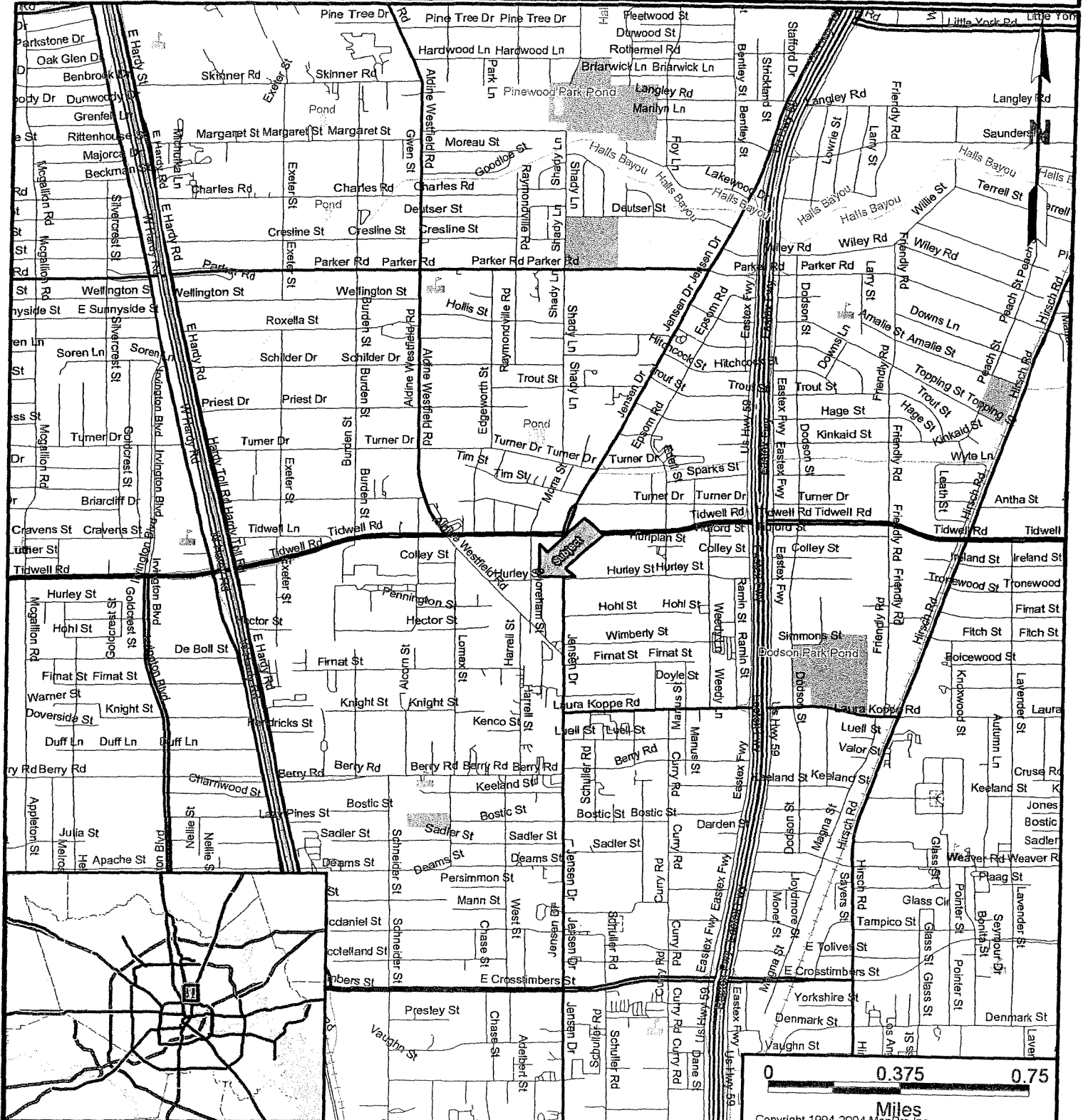
c: Marty Stein
Jack Whaley
Jeff Taylor
Daniel W. Krueger, P.E.

Date: 08/03/2005

Abandonment and sale of Hurley Street, from Shoreham Avenue east to its terminus, in exchange for the conveyance to the City of a 5-foot-wide utility easement along the east end of Hurley Street, located between Blocks 2 and 3, Shoreham Place Subdivision. **Parcels SY5-059, SY5-062, VY5-013, and VY5-014**

Subject Address: 2700 Hurley Street At Shoreham Avenue, Houston, TX 77093

Prepared by: City of Houston, 611 Walker, , Houston, TX 77002



CAUTION:

The location of property arrows shown on this map are approximate only. Inaccuracies may exist on map such as missing, incorrectly drawn, or incorrectly addressed streets. Please report any such inaccuracy to MapPro, Inc. so that appropriate corrections can be made.

Prepared by City of Houston using MapPro Service. MapPro Inc., 3033 Chimney Rock, Suite 580, Houston, TX 77056 (713)789-1406

MOTION by Council Member Quan that the recommendation of the Director of the Department of Public Works and Engineering, reviewed and approved by the Joint Referral Committee, on request from Harry Kalsch, owner of Key West Interests, LLC, 1242 Bay Oaks Road, Houston, Texas 77008, for the abandonment and sale of Hurley Street, from Shoreham Avenue east to its terminus, located between Blocks 2 and 3, Shoreham Place Subdivision, Parcels SY5-059, SY5-062, VY5-013 and VY5-014, be adopted as follows:

1. The City abandon and sell Hurley Street, from Shoreham Avenue east to its terminus, in exchange for the conveyance to the City of a 5-foot-wide utility easement along the east end of Hurley Street, located between Blocks 2 and 3, Shoreham Place Subdivision;
2. The applicant be required to obtain the written consent and participation of all the abutting property owners;
3. The applicant be required to obtain a letter of no objection from each of the privately owned utility companies;
4. The applicant be required to furnish the Department of Public Works and Engineering with a durable, reproducible (Mylar) survey plat and field notes of the affected property;
5. The Legal Department be authorized to prepare the necessary transaction documents; and
6. Inasmuch as the value of the City's property interests is not expected to exceed \$25,000.00, that the value be established by staff appraisal, according to City policy.

Seconded by Council Member Wiseman and carried.


Mayor Pro Tem Alvarado, Council Members Lawrence,
Galloway, Edwards, Wiseman, Holm, Garcia, Ellis,
Quan, Sekula-Gibbs, Green and Berry voting aye
Nays none
Mayor White absent
Mayor Pro Tem Alvarado presiding

Council Member Goldberg out of the City on City business

Council Member Khan out of the City on personal business

PASSED AND ADOPTED this 31st day of August, 2005.

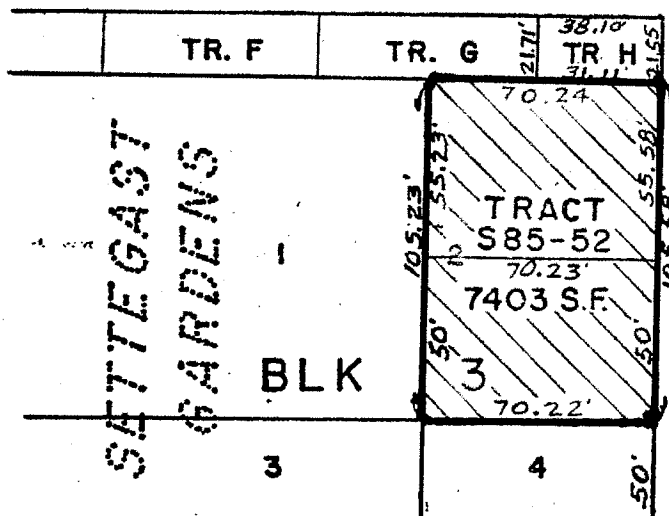
Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is September 6, 2005.


City Secretary

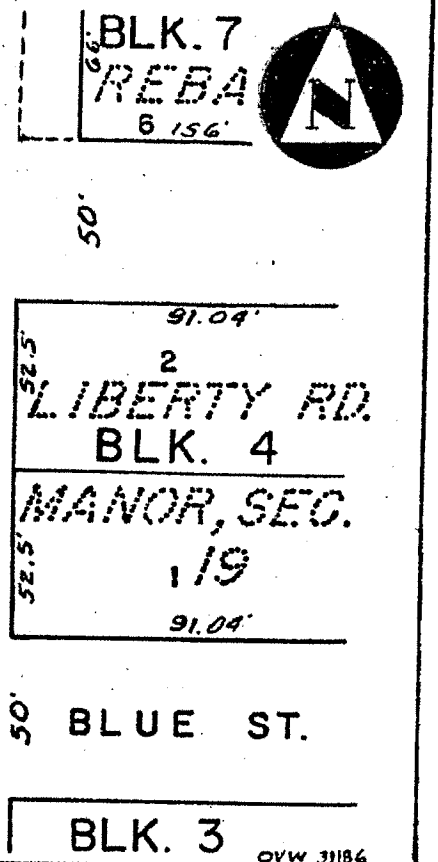
SUBJECT: Ordinance approving and authorizing a special warranty deed conveying to Southern Stone Properties, Inc. two parcels of land. Parcels S85-052 and S85-074.		Category # 7	Page 1 of <u>1</u>	Agenda Item # 27-28		
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date 7-18-06		Agenda Date JUL 26 2006		
DIRECTOR'S SIGNATURE: <i>Michael S. Marcotte</i> Michael S. Marcotte, P.E., DEE, Director		Council Districts affected: B <i>BM</i> Key Map: 455P				
For additional information contact: Nancy P. Collins Phone: (713) 837-0881 Senior Assistant Director-Real Estate		Date and identification of prior authorizing Council Action: <i>WFO</i>				
RECOMMENDATION: (Summary) It is recommended City Council accept the high bids for the sealed bid sale of Parcels S85-052 and S85-074 and approve ordinances authorizing the Mayor to execute and the City Secretary to attest to special warranty deeds conveying the properties to Southern Stone Properties, Inc.						
Amount and Source of Funding: Not Applicable			F & A Budget:			
SPECIFIC EXPLANATION: City Council authorized the sealed bid sale to the highest bidder of Parcels S85-052 and S85-074. The sales are subject to the City's billboard restrictions; all easements and public utilities; and the applicable covenants, conditions, and restrictions. Inasmuch as Southern Stone Properties, Inc.'s bids were the only bids for the two parcels and said bids are greater than the City's minimum bid amounts, it is recommended City Council approve ordinances authorizing the Mayor to execute and the City Secretary to attest to special warranty deeds conveying the properties to Southern Stone Properties, Inc. The sale proceeds will be directed to the <u>General Fund</u> . <table border="0" style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> Parcel S85-052 Sole (High) Bidder: Southern Stone Properties, Inc. Bid Amount: \$13,254.00 Bid amount meets or exceeds the appraised value North Wayside at St. Louis Key Map 455P Council District B </td> <td style="width: 50%; vertical-align: top;"> Parcel S85-074 Sole (High) Bidder: Southern Stone Properties, Inc. Bid Amount: \$25,000.00 Bid amount meets or exceeds the appraised value North Wayside at Howton Street Key Map 455P Council District B </td> </tr> </table>					Parcel S85-052 Sole (High) Bidder: Southern Stone Properties, Inc. Bid Amount: \$13,254.00 Bid amount meets or exceeds the appraised value North Wayside at St. Louis Key Map 455P Council District B	Parcel S85-074 Sole (High) Bidder: Southern Stone Properties, Inc. Bid Amount: \$25,000.00 Bid amount meets or exceeds the appraised value North Wayside at Howton Street Key Map 455P Council District B
Parcel S85-052 Sole (High) Bidder: Southern Stone Properties, Inc. Bid Amount: \$13,254.00 Bid amount meets or exceeds the appraised value North Wayside at St. Louis Key Map 455P Council District B	Parcel S85-074 Sole (High) Bidder: Southern Stone Properties, Inc. Bid Amount: \$25,000.00 Bid amount meets or exceeds the appraised value North Wayside at Howton Street Key Map 455P Council District B					
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REQUIRED AUTHORIZATION						
F&A Director:	Other Authorization:	Other Authorization: <i>Andrew F. Icken</i> Andrew F. Icken, Deputy Director Planning and Development Services Division				

BLK. 4
22 23 24 26
LIBERTY RD. MANOR, SEC. 21

ST. LOUIS ST. 60'



NORTH WAYSIDE DR. 100'
(Settegast Rd.) 100'



Parcel S85-052
North Wayside at St. Louis

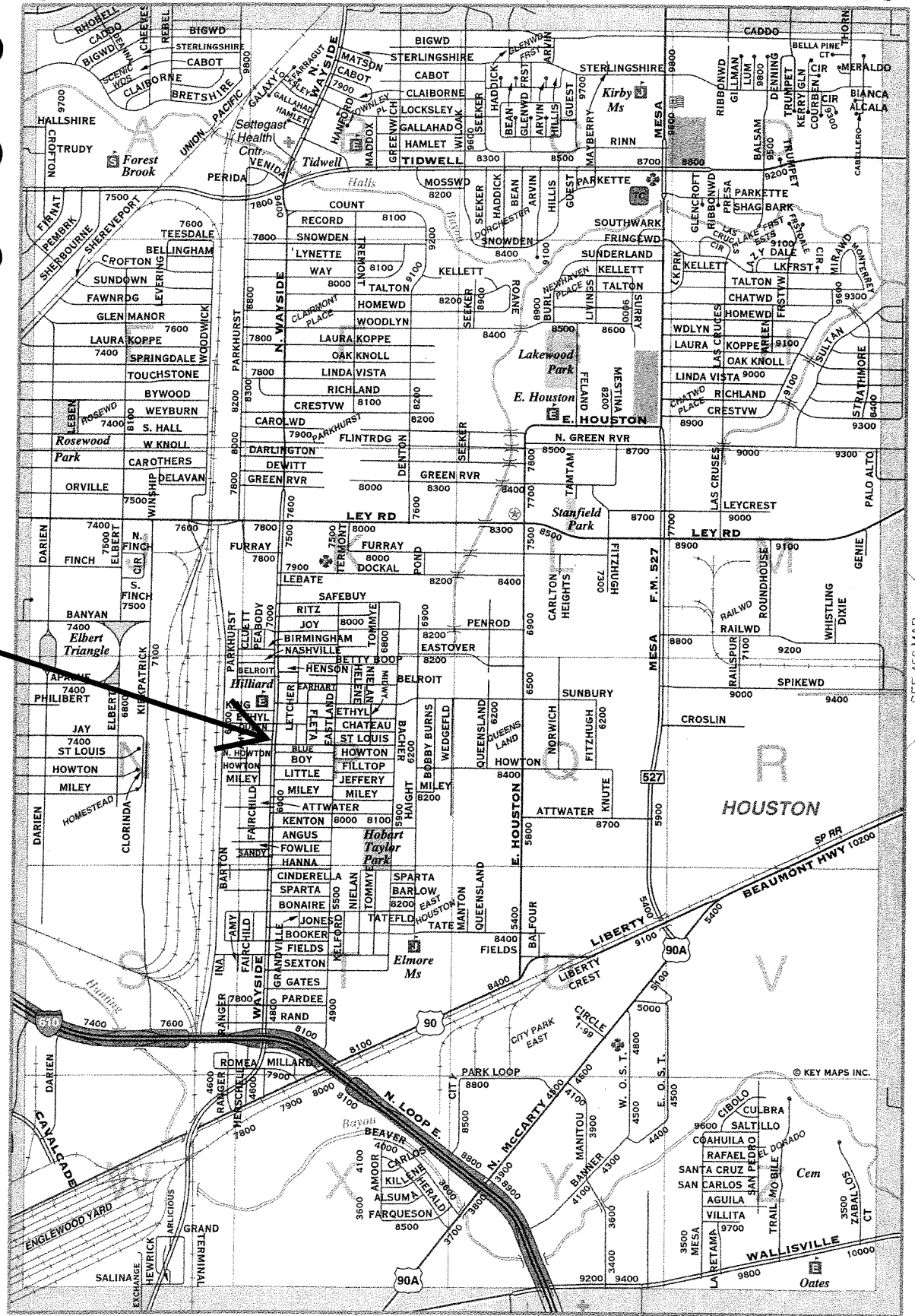
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SEE 415 MAP

455

Parcel S85-052
North Wayside
at St. Louis



SEE 456 MAP

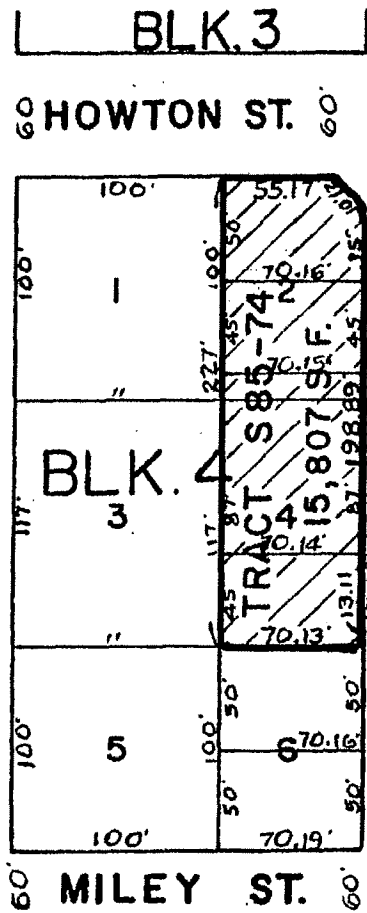
SETTEGAST
GONS.

HOWTON ST. 60'

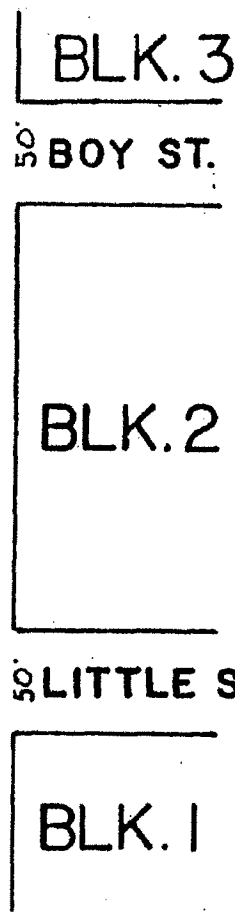
BLK. 2

BLK. 5

60' FAIRCHILD ST. 60'



100' NORTH WAYSIDE DR. 100'
(SETTEGAST RD.)



LIBERTY ROAD MANOR

SEC. 19

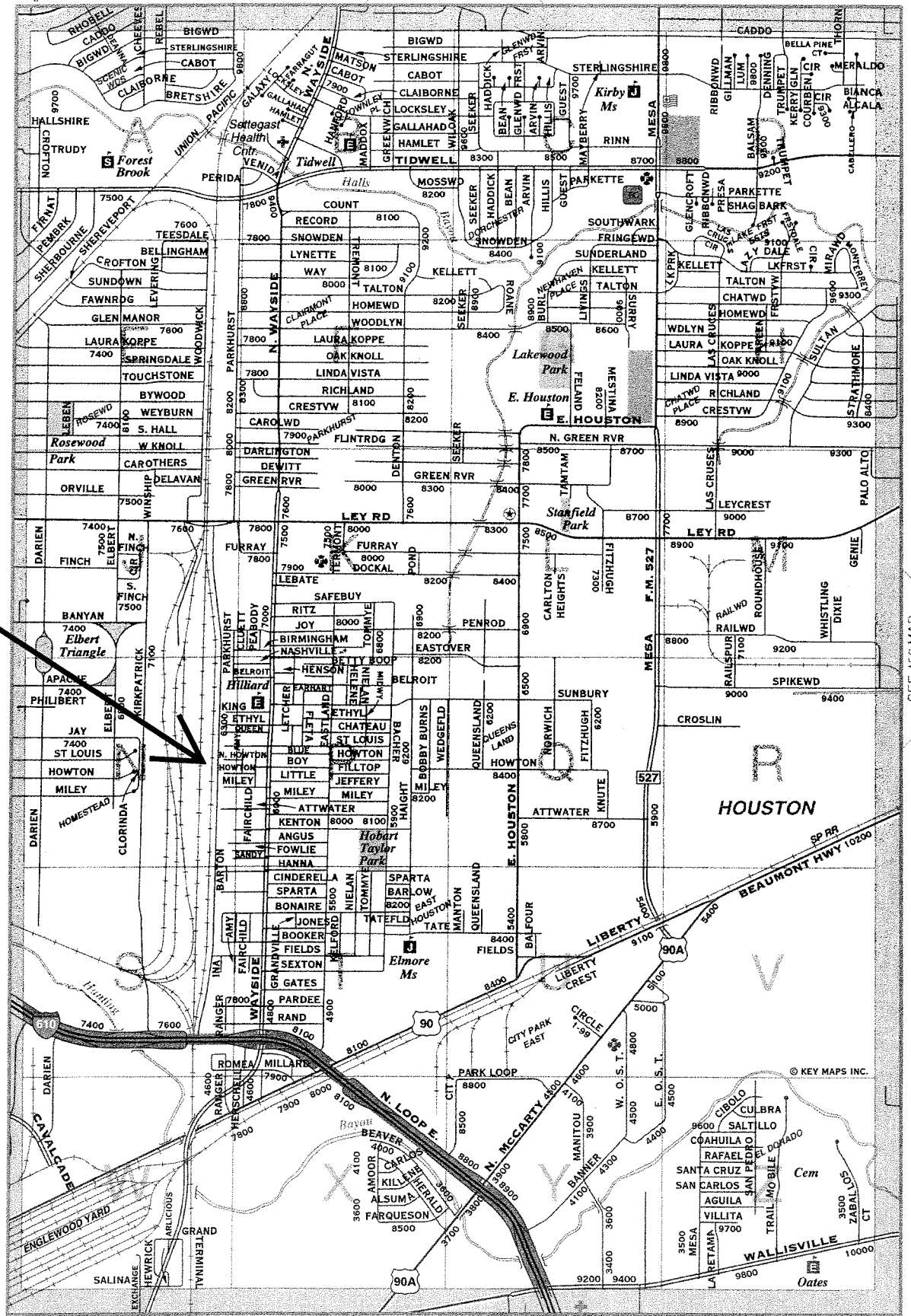


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Parcel S85-74
North Wayside at Howton Street


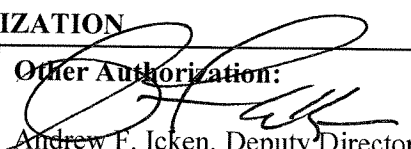
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Parcel S85-074
North Wayside at
Howton Street

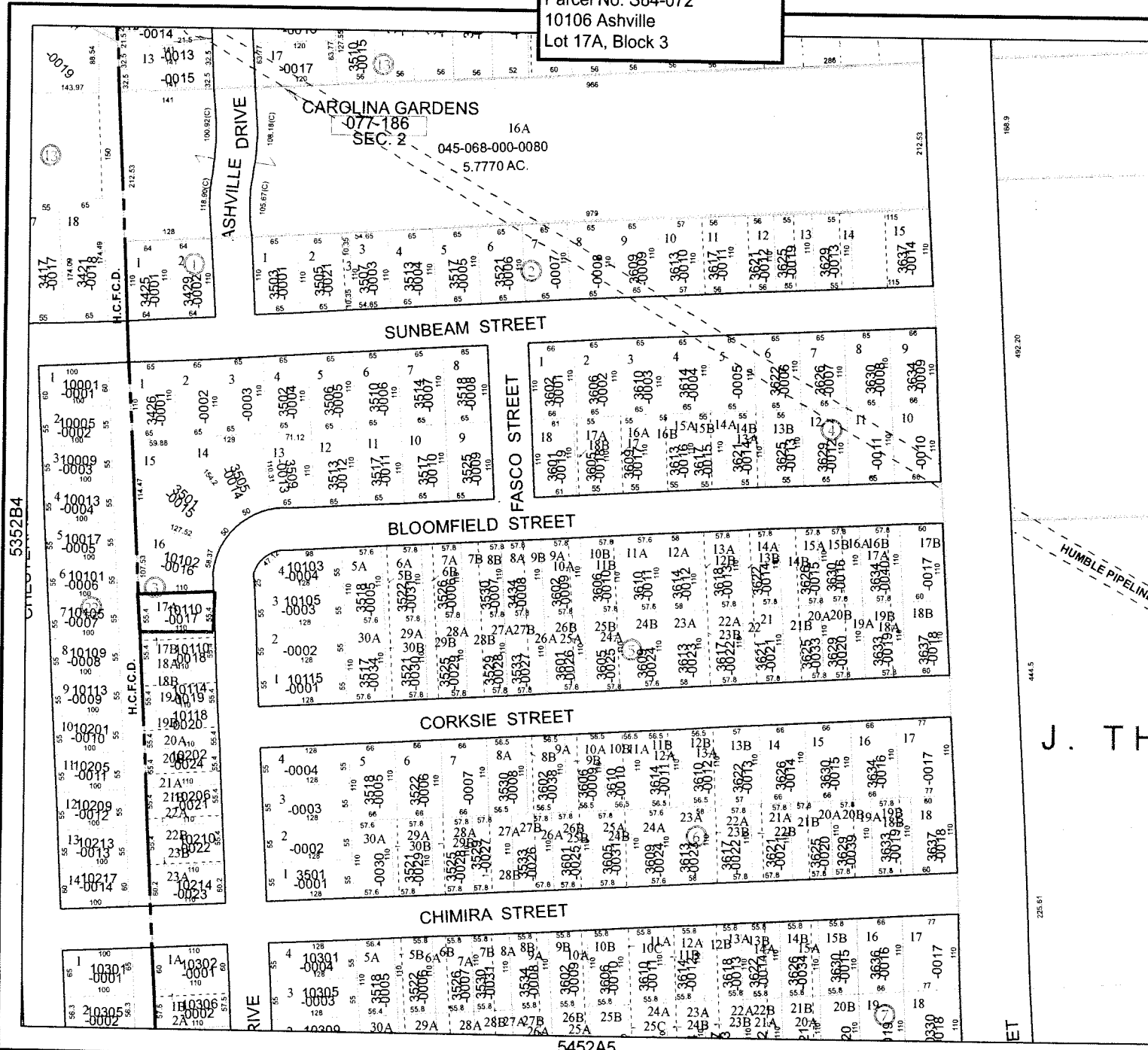


SEE 495 MAP

TO: Mayor via City Secretary**REQUEST FOR COUNCIL ACTION**

SUBJECT: Request to rescind Ordinance 87-862, which authorized the sealed bid sale of a tract of land in the John Thompson Survey, A-764, Harris County, Texas, to Frank J. Cade, the highest bidder, for the sum of \$5,800.00. Parcel S84-072		Category # 7	Page 1 of <u>1</u>	Agenda Item # 29
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date 7-19-06		Agenda Date JUL 26 2006
DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., DEE, Director		Council District affected: D Key Map 573F		
For additional information contact: Nancy P. Collins Phone: (713) 837-0881 Senior Assistant Director-Real Estate		Date and identification of prior authorizing Council Action: 87-862 (06/02/87)		
RECOMMENDATION: (Summary) It is recommended City Council rescind Ordinance 87-862, which authorized the sealed bid sale of a tract of land in the John Thompson Survey, A-764, Harris County, Texas, to Frank J. Cade, the highest bidder, for the sum of \$5,800.00. Parcel No. S84-072.				
Amount and Source of Funding: Not Applicable			F & A Budget:	
SPECIFIC EXPLANATION: By City Council Ordinance 87-862, City Council authorized the sealed bid sale of a tract of land in the John Thompson Survey, A-764, Harris County, Texas, to Frank J. Cade, the highest bidder, for the sum of \$5,800.00, and further authorized the Mayor to sign, and the City Secretary to attest, the conveyance documents. The Special Warranty Deed conveying the property to the bidder was never signed or consummated because the bidder declined to conclude the transaction. Therefore, it is recommended City Council rescind the following ordinance: <u>Ordinance 87-862 (06/02/87) - Parcel S84-072</u> Description: ±6,094 square feet, in the John Thompson Survey, A-764, Houston, Harris County, Texas, and being more particularly described by metes and bounds in Exhibit A, consisting of one page, attached hereto and made a part hereof for all purposes. Said property also known as 10106 Ashville Drive, Houston, Texas Bidder: Frank J. Cade Key Map: 573F Council District: D -- EDWARDS MSM:NPC:tp c: Marty Stein Arturo G. Michel Jeff Taylor s:\tp\20tp03.rca				
CUIC #20TP003				
REQUIRED AUTHORIZATION				
F&A Director:	Other Authorization:	Other Authorization:  Andrew F. Icken, Deputy Director Planning and Development Services Division		

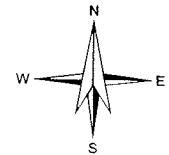
Parcel No. S84-072
10106 Ashville
Lot 17A, Block 3



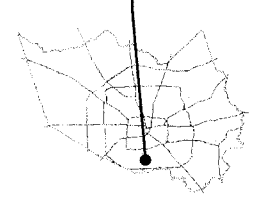
Harris County Appraisal District



0 100 200
PUBLICATION DATE:
10/13/2005



MAP LOCATION



FACET 5452A

1	2	3	4
5	6	7	8
9	10	11	12

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Petition for the City's consent to the addition of two (2) tracts of land totaling 5.3888 acres to Harris County Municipal Utility District No. 48 (Key Map No. 330Z; 331W)	Category #	Page 1 of 1	Agenda Item # 30
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 6-7-06	Agenda Date JUL 26 2006
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DIRECTOR'S SIGNATURE  Michael S. Marcotte, P.E., DEE	Council District affected: "ETJ"
---	--

For additional information contact: Jun Chang, P.E. Senior Assistant Director Phone: (713) 837-0433	Date and identification of prior authorizing Council action:
--	---

RECOMMENDATION: (Summary)

The petition for the addition of 5.3888 acres of land to Harris County Municipal Utility District No. 48 be approved.

Amount of Funding: NONE REQUIRED	F & A Budget:
--	--------------------------

SOURCE OF FUNDING: ☐ General Fund ☐ Grant Fund ☐ Enterprise Fund

☐ Other (Specify)

SPECIFIC EXPLANATION:

Harris County Municipal Utility District No. 48 has petitioned the City of Houston for consent to add two (2) tracts of land totaling 5.3888 acres, located in the city's extraterritorial jurisdiction, to the district.

The Utility District Review Committee has evaluated the application with respect to wastewater collection and treatment, potable water distribution, storm water conveyance, and other public services.

The district is located in the vicinity of FM 1960, Cashel Glen Drive, South Cashel Oak Drive, and Stuebner Airline Road. The district desires to add 5.3888 acres, thus yielding a total of 74.2285 acres. The district is served by a regional wastewater treatment facility, Harris County Water Control and Improvement District No. 109. The nearest major drainage facility for Harris County Municipal Utility District No. 48 is Greens Bayou which flows into the Houston Ship Channel.

Potable water will be provided to the district by Harris County Water Control and Improvement District No. 109. By executing the Petition for Consent, the district has acknowledged that all plans for the construction of water conveyance, wastewater collection, and storm water collection systems within the district must be approved by the City of Houston prior to their construction.

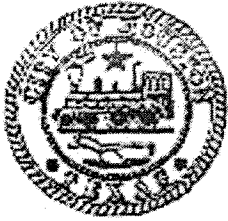
The Utility District Review Committee recommends that the subject petition be approved.

AFI:sww/86hcmud48.b.doc

Attachments


cc: Marty Stein Marlene Gafrick Jeff Taylor Earl Travis Dan Krueger Jack Sakolosky
Bill Zrioka Waynette Chan Deborah McAbee Gary Norman

REQUIRED AUTHORIZATION		20JZC86
F & A Director	Other Authorization:  Andrew F. Icken Deputy Director Planning & Development Services Div.	Other Authorization:



CITY OF HOUSTON
Department of Public Works and Engineering
Water District Consent Application Form

Application is hereby made for consent of the City of Houston to the addition of 5.3888 acres to Harris County Municipal Utility District No. 48 under the provisions of Chapter 49 of the Texas Water Code.



Attorney for the District

Attorney: Ross J. Radcliffe, Johnson Radcliffe Petrov & Bobbitt PLLC

Address: 1001 McKinney, Suite 1000, Houston, Texas Zip 77002 Phone 713.237.1221

Engineer: Mark Adam, P.E., AEI Engineering, Inc.

Address: 616 FM 1960, Suite 250, Houston, Texas Zip 77090 Phone 281.350.7027

Owner(s): Eliodoro and Rena Villagomez and Villagomez Interests, L.L.C.

Address: 14297 Stuebner Airline, Houston, Texas Zip 77069 Phone 281.893.4920

(If more than one owner attach additional page, list all owners of property within district.)

LOCATION

INSIDE CITY () OUTSIDE CITY (XX) NAME OF COUNTY(IES) Harris

Survey Benjamin Page Abstract 618

Geographic Location: List only major streets, bayous or creeks:

North of FM 1960 East of South Cashel Oak Drive

South of Cashel Glen Drive West of Stuebner Airline Road

WATER DISTRICT DATA

Total Acreage of District: 74.2285 Existing Plus Proposed Land

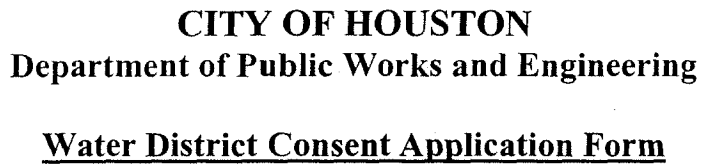
Development Breakdown (Percentage) for tract being considered for annexation:

Single Family Residential 0% Multi-Family Residential 0%

Commercial 100% Industrial 0% Institutional 0%

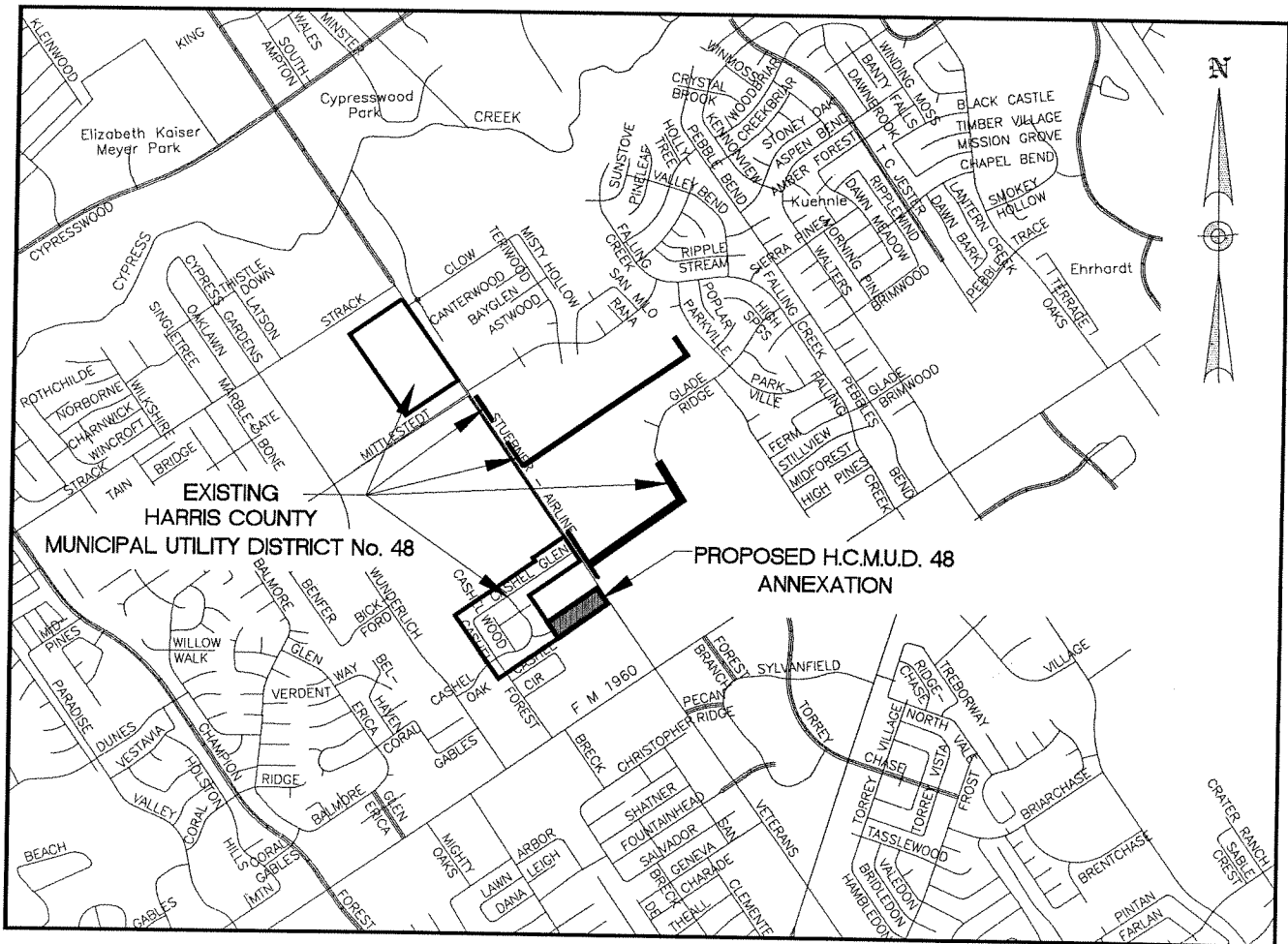
Sewage Treatment Plant Name: Harris County Water Control and Improvement District No. 109

TCEQ Permit No.: WQ0001126002



HARRIS COUNTY MUNICIPAL UTILITY DISTRICT No. 48

PROPOSED ANNEXATION OF 5.3888 ACRES OF LAND
(KEY MAP® PAGE NOS. 330-Z & 331-W)



VICINITY MAP
N.T.S.

PREPARED BY



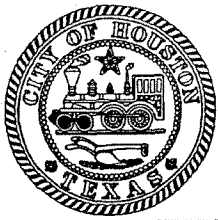
616 FM 1960 W., SUITE 250
HOUSTON, TEXAS 77090
(281)350-7027
(281)350-7035 FAX
WWW.AFIFNGR.COM

APRIL 2006

AEI JOB NO. 276-001-001

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

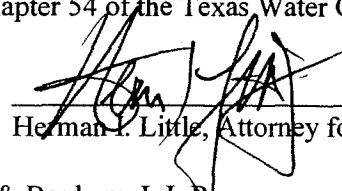
SUBJECT: Petition for the City's consent to the addition of two (2) tracts of land totaling 158.36 acres to Northwest Harris County Municipal Utility District No. 12 (Key Map No. 446B)		Category #	Page 1 of <u>1</u>	Agenda Item # 31
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date 6/29/06		Agenda Date JUL 26 2006
DIRECTOR'S SIGNATURE <i>Michael S. Marcotte</i> Michael S. Marcotte, P.E., DEE		Council District affected: "ETJ"		
For additional information contact: Jun Chang, P.E. <i>fk</i> Senior Assistant Director Phone: (713) 837-0433		Date and identification of prior authorizing Council action:		
RECOMMENDATION: (Summary) The petition for the addition of 158.36 acres of land to Northwest Harris County Municipal Utility District No. 12 be approved.				
Amount of Funding: NONE REQUIRED			F & A Budget:	
SOURCE OF FUNDING: <input type="checkbox"/> General Fund <input type="checkbox"/> Grant Fund <input type="checkbox"/> Enterprise Fund <input type="checkbox"/> Other (Specify)				
SPECIFIC EXPLANATION: Northwest Harris County Municipal Utility District No. 12 has petitioned the City of Houston for consent to add two (2) tracts of land totaling 158.36 acres, located in the city's extraterritorial jurisdiction, to the district. The Utility District Review Committee has evaluated the application with respect to wastewater collection and treatment, potable water distribution, storm water conveyance, and other public services. The district is located in the vicinity of Clay Road, Keith Harrow Boulevard, (future) Westgreen Boulevard, and Westfield Village Drive. The district desires to add 158.36 acres, thus yielding a total of 758.370 acres. The district is served by a regional wastewater treatment plant, Harris County Municipal Utility District No. 105. The nearest major drainage facility for Northwest Harris County Municipal Utility District No. 12 is South Mayde Creek which flows into Buffalo Bayou and finally into the Houston Ship Channel. Potable water is provided by the district. By executing the Petition for Consent, the district has acknowledged that all plans for the construction of water conveyance, wastewater collection, and storm water collection systems within the district must be approved by the City of Houston prior to their construction. The Utility District Review Committee recommends that the subject petition be approved. AFI:sww/94nwhcmud12.b.doc Attachments cc: Marty Stein Marlene Gafrick Jeff Taylor Earl Travis Dan Krueger Jack Sakolosky Bill Zrioka Waynette Chan Deborah McAbee Gary Norman				
REQUIRED AUTHORIZATION 20JZC94				
F & A Director	Other Authorization: <i>Andrew F. Icken</i> Andrew F. Icken Deputy Director Planning & Development Services Div.		Other Authorization:	



CITY OF HOUSTON
Department of Public Works and Engineering
Water District Consent Application Form

appl complete 2/6/07/06

Application is hereby made for consent of the City of Houston to the addition of 158.36 acres to Northwest Harris County Municipal Utility District No. 12 under the provisions of Chapter 54 of the Texas Water Code.


Herman I. Little, Attorney for the District

Attorney: Herman I. Little, Jr. of Smith, Murdaugh, Little & Bonham, L.L.P.
Address: 1100 Louisiana, Suite 400, Houston, Texas 77002 Phone: 713/652-6500
Engineer: Jack P. Miller, P.E. of R. G. Miller Engineers, Inc.
Address: 12121 Wickchester Lane, Suite 200, Houston, TX 77079, Phone: 713/461-9600
Owner(s): The Bear Creek Trust and Magellan Development Ltd.
Address: Robert Moorman, 440 Benmar, Suite 3015, Houston, TX 77060 Phone: 281/847-9400

LOCATION

INSIDE CITY () OUTSIDE CITY (X) in ETJ NAME OF COUNTY (S): Harris

Survey: H.T.C.R.R. Abstract: 436
L. Cabell Read Survey Abstract: 1555

Geographic Location: List only major streets, bayous or creeks:

North of: Clay Road East of: Future Westgreen Boulevard
South of: Keith Harrow Boulevard West of: Westfield Village Drive

WATER DISTRICT DATA

Total Acreage of District: 758.370 (Existing Plus Proposed Land)

Development Breakdown (Percentage) for tract being considered for annexation:

Single Family Residential 100% Multi-Family Residential 0%
Commercial 0% Industrial 0% Institutional 0%

Sewage generated by the District will be served by a: District Plant () Regional Plant (X)

Sewage Treatment Plant Name: Harris County Municipal Utility District No. 105 Wastewater Treatment Plant

N.P.D.E.S. Permit No: 11792-002

T.D.W.R. Permit No: _____

CITY OF HOUSTON
Department of Public Works and Engineering
Water District Consent Application Form

Existing Capacity (MGD): 1.1 Ultimate Capacities (MGD): 2.5

Size of treatment plant site: 3.10 acres

If the treatment plant is to serve the District only, indicate the permitted capacity of the plant: N?A.

If the treatment plant is to serve other Districts or properties (i.e. regional), please indicate total permitted capacity of the plant. List all Districts served, or to be served, within the plant and their allotted capacities
(If more than two Districts – attach additional page):

Total permitted capacity: 1.25 MGD	MGD of (Regional Plant)	1.10
Harris County MUD No. 105:	MGD Capacity Allocation	0.60
Northwest Harris County MUD No. 12:	MGD Capacity Allocation	0.50

Water Treatment Plant Name: Northwest Harris County Municipal Utility District No. 12 Water Plant

Water Treatment Plant Address: 21530 Wildcroft Drive., Katy, Texas 77449

Well Permit No: HCSD well permit number 105835

Existing Capacity:

Well(s): 600 GPM
Booster Pump(s): 2,800 GPM
Elevated Storage Tank(s): 338,000 Gallons
Hydroneumatic: 30,000 Gallons

Ultimate Capacity: Well(s): 1,000 GPM

Booster Pump(s): 2,800 GPM
Elevated Storage Tank(s): 338,000 Gallons
Hydroneumatic: 30,000 Gallons

Size of treatment plant site: 0.57 acres

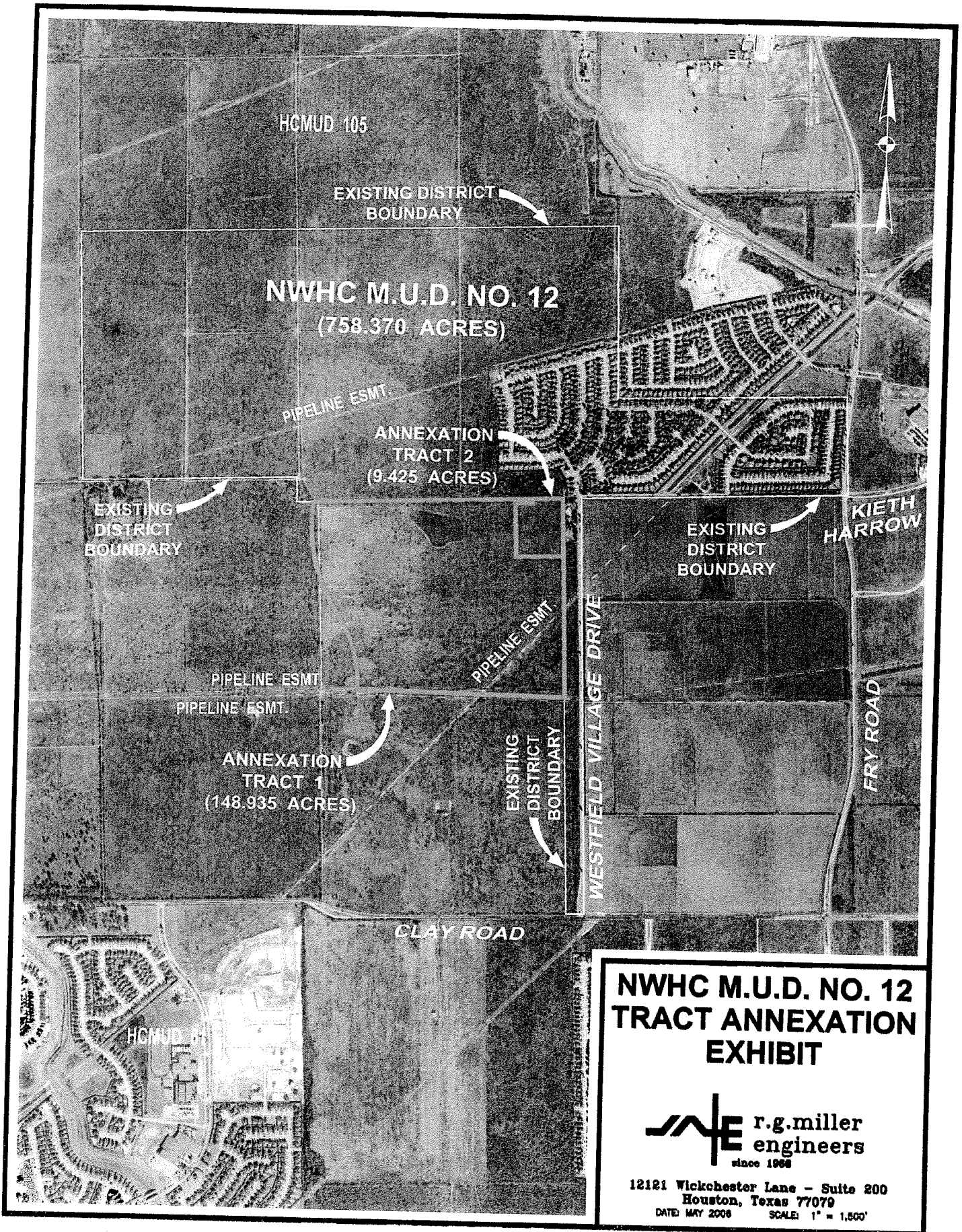
Comments or Additional Information: _____

Attachments to City Application

1. Copy of Petition to the state/district.
2. Exhibit A metes and bounds
3. Exhibit B Consent Conditions (either ETJ or in-city, if in-city must state bonds must be approved by the city)
4. Survey Plat
5. Vicinity map 8.5 X 11 showing nearby roads with outline of original mud and area to be annexed.
6. Letter from adjacent muds (for creation only and if without regional plant).
7. Certificates of authority from lienholders.
8. Check for \$425 for each non-contiguous tract.

CHECKLIST

1. Are letters from neighboring districts and municipalities stating availability of utility service attached?
2. Is an 8.5-inch by 11.0-inch vicinity map attached and does it depict the original boundary of the district and if an annexation also highlight the area to be annexed?
3. Is an application fee of \$425 per each non-contiguous tract included?
4. Is the rounding of the acreage consistent throughout the metes and bounds, petition, application, survey, and vicinity map, if listed?
5. Is the sealed survey plat included?
6. Is Exhibit B the updated version? For an in-city mud does it state the city must approve the bonds?
7. Is East West South and North direction delineated correctly?
8. Are all documents scanned electronically including survey and vicinity maps and copies submitted by e-mail or cdrom? (The original with original signature must be delivered in hard copy.)



NWHC M.U.D. NO. 12 TRACT ANNEXATION EXHIBIT

 **r.g.miller
engineers**
since 1968

12121 Wickchester Lane - Suite 200
Houston, Texas 77079

DATE: MAY 2008 SCALE: 1" = 1,500'

TO: Mayor via City Secretary **REQUEST FOR COUNCIL ACTION**

SUBJECT: Ordinance designating the 300 block of East 25th Street, north and south sides, and the 400 block of East 25th Street, south side, between Courtlandt and Columbia Streets as a Special Minimum Lot Size Area	Category #	Page 1 of _____	Agenda Item # 32
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FROM (Department or other point of origin): Marlene L. Gafrick, Director Planning and Development Department	Origination Date 7/03/2006	Agenda Date JUL 26 2006
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DIRECTOR'S SIGNATURE: <i>MS</i> <i>Marlene L. Gafrick</i>	Council District affected: H
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For additional information contact: Mina Gerall Phone: 713.837.7858	Date and identification of prior authorizing Council action: N/A
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RECOMMENDATION: (Summary) Approval of an ordinance designating the 300 block of East 25th Street, north and south sides, and the 400 block of East 25th Street, south side, between Courtlandt and Columbia Streets as a Special Minimum Lot Size Area, pursuant to Chapter 42 of the Code of Ordinances.

Amount and Source of Funding:	F & A Budget:
--------------------------------------	--------------------------

SPECIFIC EXPLANATION: In accordance with Section 42-213 of the Code of Ordinances, the property owner of of Lots 3 and 4, Block 55, of the Sunset Heights Subdivision initiated an application for the designation of a special lot size area. The application includes written evidence of support from 22 of the 37 property owners (59%). Notification was mailed to the 37 property owners indicating that the special lot size area application had been made. The notification further stated that written protest could be filed with the Planning and Development Department within fifteen days of mailing. Since no protests were filed, no action was required by the Houston Planning Commission.

It is recommended that the City Council adopt an ordinance establishing a Prevailing Lot Size of 3,000 sf.

MLG:jh

Attachments: Planning Director's Approval, Prevailing Lot Size Application, Evidence of Support, Map of the Area

xc: Marty Stein, Agenda Director
Anna Russell, City Secretary
Arturo G. Michel, City Attorney
Deborah McAbee, Land Use Division, Legal Department

REQUIRED AUTHORIZATION

F & A Director:	Other Authorization:	Other Authorization:
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Special Minimum Lot Size Requirement Area No. 195
Planning Director's Approval

Planning Director's Evaluation:

Satisfies	Does Not Satisfy	Criteria
X		<p><i>PLS area include all property within the block faces;</i></p> <p>The application is for the 300 block of East 25th Street, north and south sides, and the 400 block of East 25th Street, south side, between Courtlandt and Columbia Streets.</p>
X		<p><i>At least 60% of the lots are developed with or are restricted to not more than 2 single-family residential (SFR) units per lot;</i></p> <p>100% of the lots are developed with not more than two SF residential units per lot. 40 of the 40 lots contained within the proposed Special Minimum Lot Size Requirement Area are developed with not more than two single family residential units.</p>
X		<p><i>Demonstrated sufficient evidence of support;</i></p> <p>Petition signed by 60% of the property owners.</p>
X		<p><i>Establishment of the MLS area will further the goal of preserving the prevailing lot size character of the area; and,</i></p> <p>A (3,000 sf) prevailing lot size character exists.</p>
X		<p><i>Finding that the area has a prevailing lot size. 75% or more of the lots (exclusive of corner lots) have a lot size that does not vary by more than 10% from the average size of the lots within the MLSA.</i></p> <p>The MLS area contains 40 lots – 6 are corner lots, 32 of the 34 lots are within 10% of the average lot size (94%). The average lot size is 2,912 sf.</p>

The Special Minimum Lot Size Requirement Area meets the criteria.



 Marlene L. Gafrick, Director Date

CITY OF HOUSTON

HOUSTON PLANNING COMMISSION

PLANNING & DEVELOPMENT DEPARTMENT

PREVAILING LOT SIZE APPLICATION



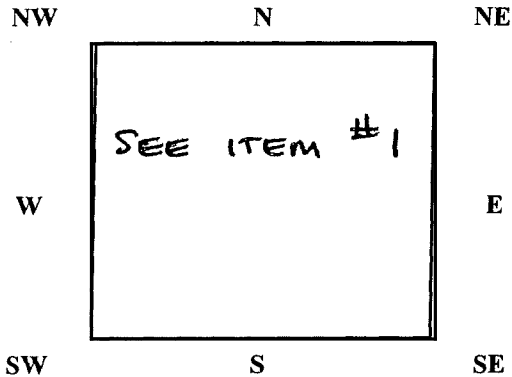
To expedite this application, please complete entire application form.



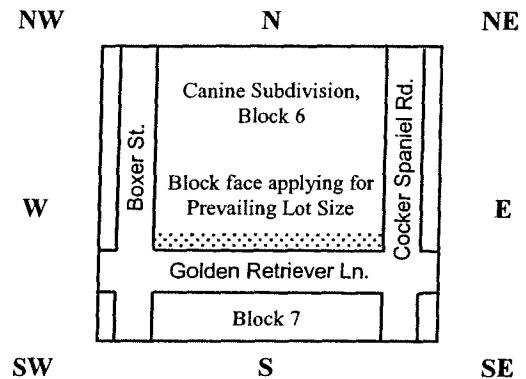
Staff will complete shaded items.

JAN 2006
RECEIVED
PLANNING & DEVELOPMENT
DIRECTOR'S OFFICE
PAC 01-09-06
10:04 AM

LOCATION



LOCATION EXAMPLE



1. BOUNDARY:

Block no.: SEE ITEM #2
Lot nos.: _____
Subdivision name: SUNSET HEIGHTS
Street name & side: _____
Lot(s) Address: _____
Odd/Even Addresses: _____

BOUNDARY EXAMPLE:

Block 6
Lots 1-5
Canine Subdivision
North side of Golden Retriever Ln.
800 Address Block Golden Retriever Ln.
Odd Addresses

2. PROJECT INFO.:

File no.: 195
Lambert: 5351
Key Map: _____
SN: 15
TIRZ: _____

Census Tract: _____
Zip Code: 77008

School Dist.: _____
City Council Dist.: H
Co. Comm. Prct.: _____

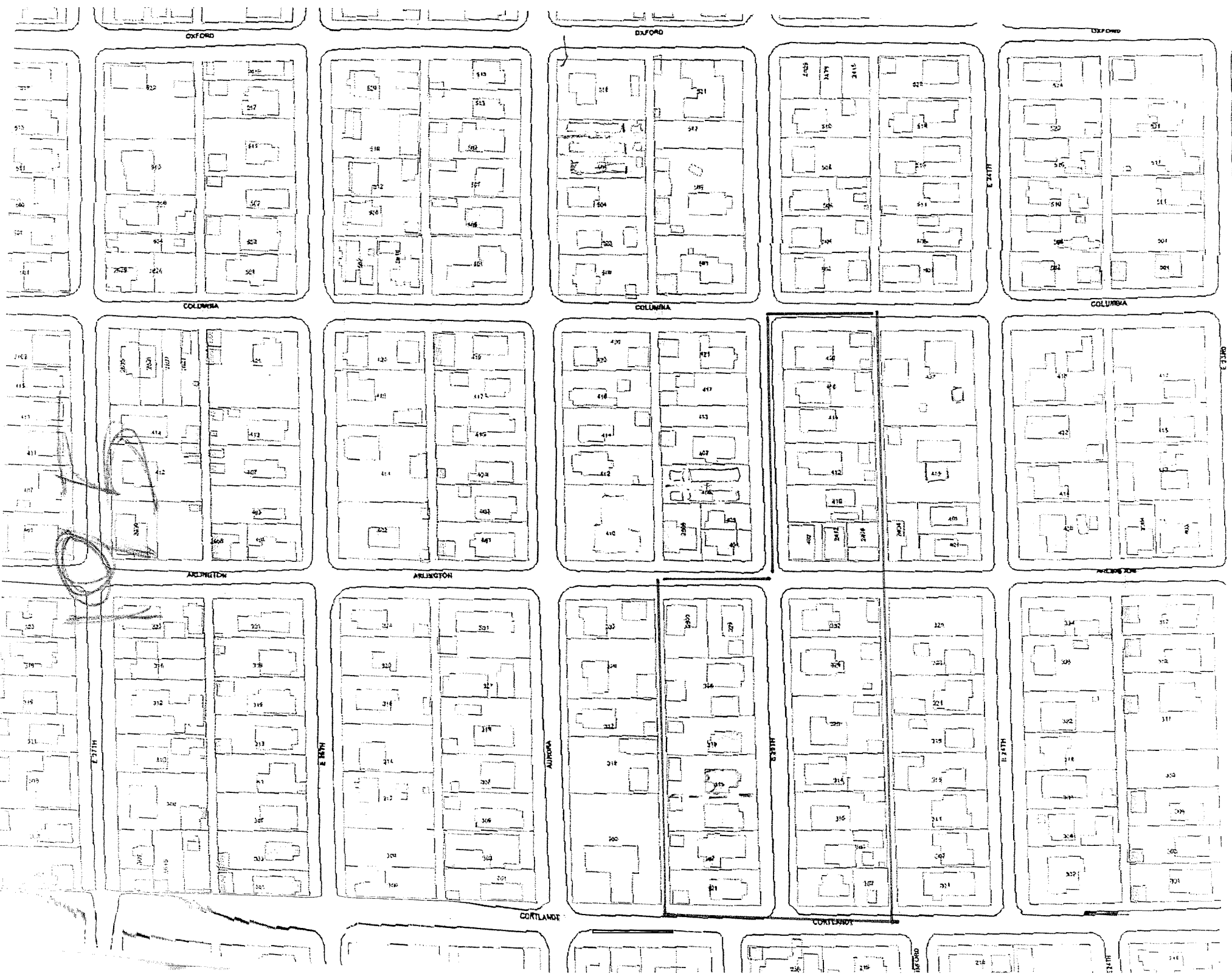
3. CONTACTS:

Applicant: Nicole Ridgway
Address: 306 E 25th Phone: 713 864 1912 Fax: _____
City: HOUSTON State: TX Zip: 77008
Other: JOHN RIDGWAY
Address: 306 E 25th Phone: 713 416 0134 Fax: _____
City: HOUSTON State: TX Zip: 77008

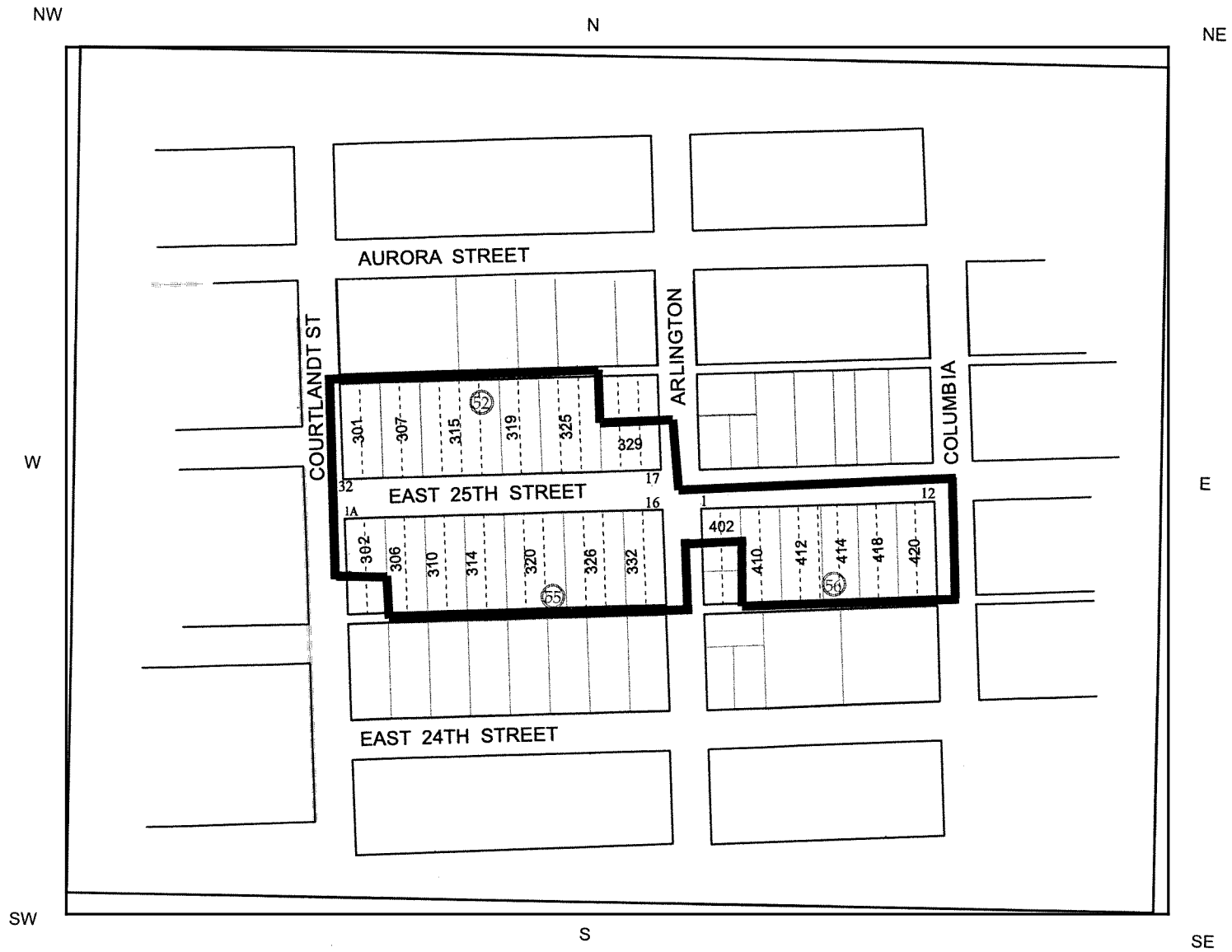
4. SUBMITTAL REQUIREMENTS

PVL BL

Completed application form ☐
Map or sketch showing the address and land use of all lots within boundary ☐
Data showing the actual size of each lot ☐
Signed petition ☐
Evidence of support from the property owners within the boundary ☐



SUNSET HEIGHTS



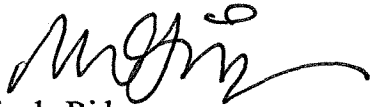
3,000sf Prevailing Lot Size

MAP/SKETCH

SMLSA No. 195

January 8, 2006

I, Nicole Ridgway, owner of property within the proposed boundaries of the special minimum lot size requirement area, specifically block 55, lots 3 and 4 of Sunset Heights, do hereby submit this petition as prescribed by the Code of Ordinances, City of Houston, Sec. 42-213. With this petition and other required information, I request to preserve the character of the existing lot sizes for: block 52, lots TRS 17 18 & 19 (001*S 1/2 OF LTS 17 18 & 19), 20,21,22,23,24,25,26,27,28,29,30,31,32; block 55, lots TRS1A, 2A, 3,4,5,6,7,8,9,10,11,12,13,14,15,16;block 56, lots TRS1,2(001*N45 FT of LTS 1,2), 3,4,5,6,7A8,9,10,11,12, in Sunset Heights , through the application and creation of a special minimum lot size requirement area.

A handwritten signature in black ink, appearing to read 'Nicole Ridgway', with a long, sweeping horizontal line extending to the right.

Nicole Ridgway
Petitioner

TO: Mayor via City Secretary REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance designating the 4400-4500 blocks of Walker Street, north and south sides, between Eastwood Street and South Lockwood Drive as a Special Building Line Requirement Area		Category #	Page 1 of ____	Agenda Item # 33
FROM (Department or other point of origin): Marlene L. Gafrick, Director Planning and Development Department		Origination Date 6/20/2006		Agenda Date JUL 26 2006
DIRECTOR'S SIGNATURE: NO <i>Marlene L. Gafrick</i>		Council District affected: I		
For additional information contact: Mina Gerall Phone: 713.837.7858		Date and identification of prior authorizing Council action: N/A		
RECOMMENDATION: (Summary) Approval of an ordinance designating the 4400-4500 blocks of Walker Street, north and south sides, between Eastwood Street and South Lockwood Drive as a Special Building Line Requirement Area, pursuant to Chapter 42 of the Code of Ordinances, and establishing a 22'-0" prevailing building line.				
Amount and Source of Funding:			F & A Budget:	
SPECIFIC EXPLANATION: In accordance with Section 42-163 of the Code of Ordinances, the property owner of Tracts 6 and 7A, Block 23, of the Eastwood Subdivision initiated an application for the designation of a special building line requirement area. The application includes written evidence of support from 18 of the 39 property owners (46%). Notification was mailed to 38 property owners indicating that the special building line requirement area application had been made. One property owner's address was unknown on Harris County records. The notification further stated that written protest could be filed with the Planning and Development Department within fifteen days of mailing. One written protest was filed. The Houston Planning Commission considered the application and protest at the May 11, 2006, meeting and voted to recommend the City Council establish the Prevailing Building Line Requirement Area. It is recommended that the City Council adopt an ordinance establishing a 22'-0" Prevailing Building Line for the area. MLG:db Attachments: Planning Commission Approval, Prevailing Building Line Application & Petition, Evidence of Support, Map of the Area, Protest Letter xc: Marty Stein, Agenda Director Anna Russell, City Secretary Arturo G. Michel, City Attorney Deborah McAbee, Land Use Division, Legal Department Linda Tarver, Public Works and Engineering Gary Bridges, Public Works and Engineering				
REQUIRED AUTHORIZATION				
F & A Director:		Other Authorization:		Other Authorization:

January 6, 2006

To: Chris Fisher
City of Houston
Planning and Dev. Dept.

From: Mrs. Gordon Dudley
4502 Walker
Houston, Texas 77023
Phone: 713-923-4063

Following our telephone conversation regarding the matter of a proposed change to the building line on my block I am submitting this letter of protest.

I wish to protest the proposed Special Building Line Requirement Area for the 4500 block of Walker.

Please notify me of the time and date of the hearing when it is set.

Respectfully,
Mrs. Gordon Dudley

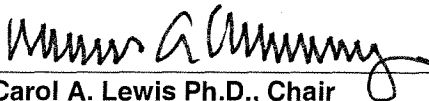


Special Building Line Requirement Area No. 091

Planning Commission Approval

Satisfies	Does Not Satisfy	Criteria
		The application satisfies each of the following criteria (1-5):
X		<p>1. Boundaries include all property within at least one block face;</p> <p><i>The application is for the 4400-4500 blocks of Walker Street, north and south sides, between Eastwood Street and South Lockwood Drive.</i></p>
X		<p>2. More than 50% of the lots in the SBLRA are developed with SF residential units;</p> <p><i>90% of the lots are developed with SF residential.</i></p>
X		<p>3. Demonstrated sufficient support;</p> <p><i>Petition signed by 46% of the property owners and testimony provided at Planning Commission.</i></p>
X		<p>4. Establishment of the SBLRA will further the goal of preserving the prevailing building line character of the area; and,</p> <p><i>Prevailing building line character exists.</i></p>
X		<p>5. Less than 25% of the SF residential properties have a constructed building line that varies by more than 5 feet from the most frequent constructed building line.</p> <p><i>35 of the 39 lots contained within the proposed Special Building Line Requirement Area are developed with single-family residential units. 2 lots are vacant. 2 lots are multi-family. 2 of the 35 SF residential units deviate from the prevailing building line by more than five feet (6%). Therefore, the prevailing constructed building line for this application is 22'-0."</i></p>
	X	<p>Petition was signed by the owners of 51 percent or more of the lots or tracts within the SBLRA; and</p> <p><i>Owners of 46% of the lots or tracts signed petition.</i></p>
	X	<p>A timely protest was not filed</p> <p><i>1 protest was filed.</i></p>

The Special Building Line Requirement Area has a prevailing building line of twenty-two feet and zero-inches (22'- 0").

 Date 6/16/06

Carol A. Lewis Ph.D., Chair

CITY OF HOUSTON

HOUSTON PLANNING COMMISSION

PLANNING & DEVELOPMENT DEPARTMENT

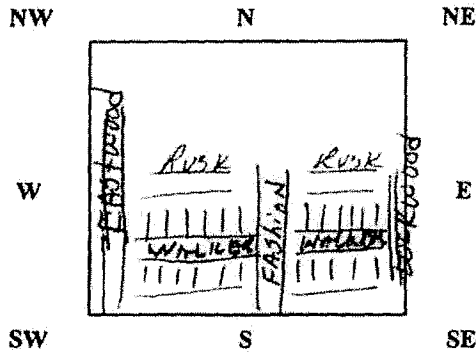
PREVAILING BUILDING LINE APPLICATION

☒ To expedite this application, please complete entire application form.

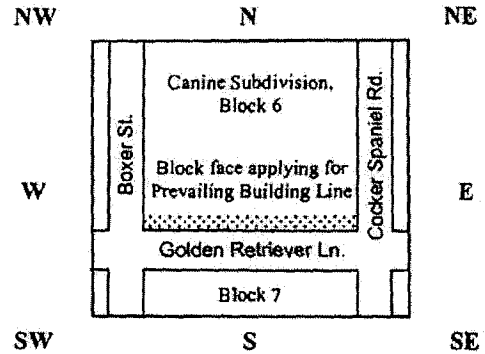


Staff will complete shaded items.

LOCATION



LOCATION EXAMPLE



1. BOUNDARY:

Block no.: 23, 14, 15, 22
 Lot nos.: 1-11, 11-20, 13-24, 1-10
 Subdivision name: EASTWOOD
 St. name & side: No 3 So. of WALKER
 Block Address: 4400 - 4500
 Odd/Even Addresses: ODD & EVEN

BOUNDARY EXAMPLE:

Block 6
 Lots 1-5
 Canine Subdivision
 North side of Golden Retriever Ln.
 800 Address Block Golden Retriever Ln.
 Odd Addresses

2. PROJECT INFO.:

File no.:
 Lambert:
 Key Map:

Census Tract:
 Zip Code: 77023

School Dist.: HISD
 City Council Dist.: I
 Co. Comm. Prct.: 2

3. CONTACTS:

Applicant: Bill England
 Address: 4422 WALKER
 City: HOU
 Phone: 713-926-4307
 State: TX
 Zip: 77023
 Other: _____
 Address: _____
 City: _____
 Phone: _____
 State: _____
 Zip: _____

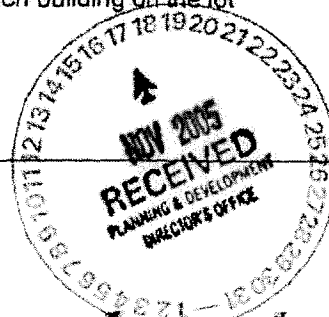
4. SUBMITTAL REQUIREMENTS

- Completed application form
- Map or sketch showing the address and land use of all lots within boundary
- Data showing the distance from the front property line to each building on the lot
- Signed petition
- Evidence of support from the property owners

PVL BL

☐
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prevail



02/20/03

CITY OF HOUSTON

Houston Planning Commission

Planning & Development Department

PETITION

(Date)

I, Bill England, owner of property within the proposed boundaries of the special building line requirement area, specifically, Block 23, Lot 6-71A, of **Eastwood**, do hereby submit this petition as prescribed by the Code of Ordinances, City of Houston, Sec. 42-163. With this petition and other required information, I request to preserve the character of the existing block face(s) for Blocks ^{14, 15,} 22, 23, Lot(s) ^{1-11, 11-20,} 13-24, 1-10 in **Eastwood** through the application of and creation of a special building line requirement area.

Bill England

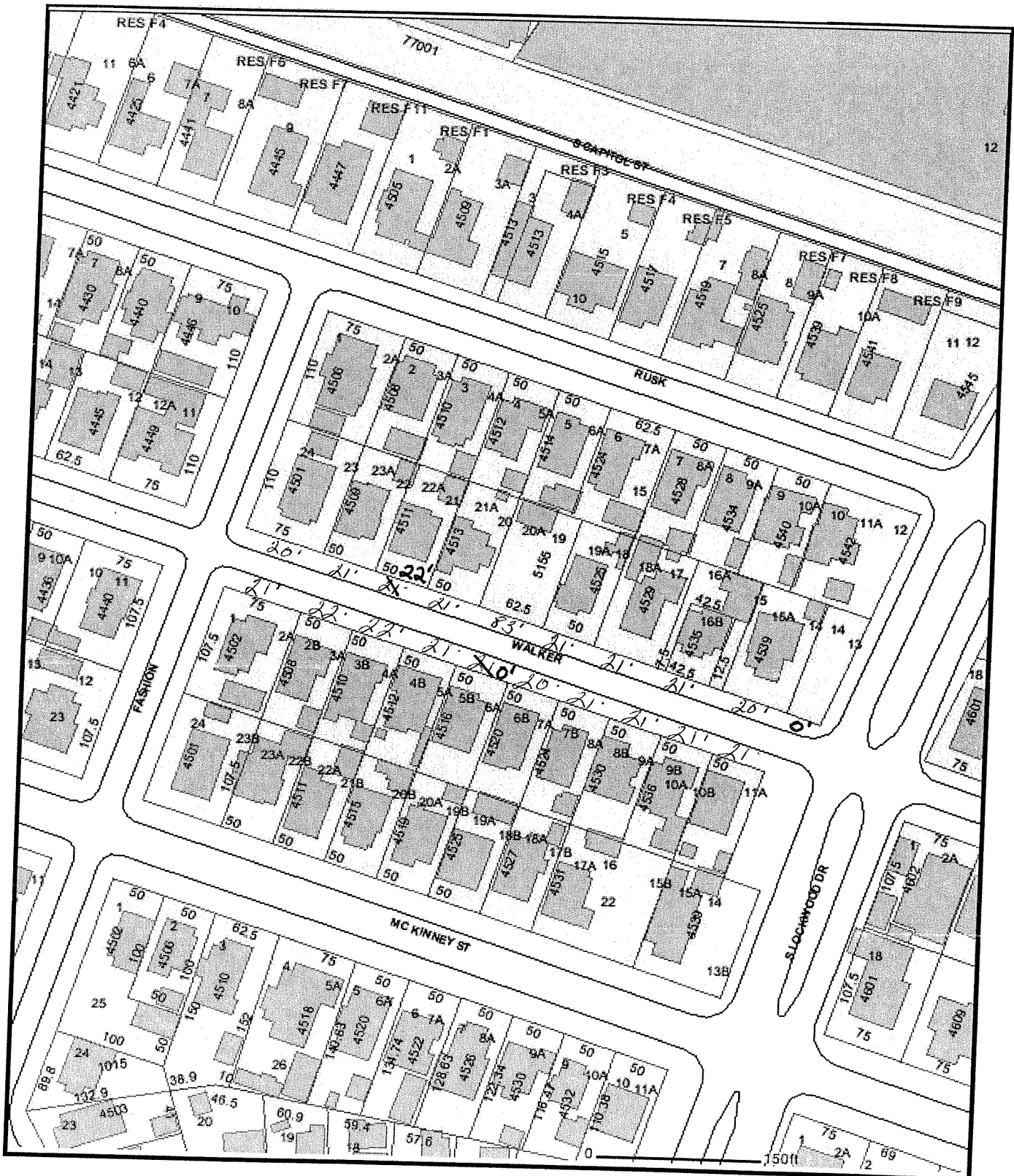
Signature of petitioner

Bill England

Printed name of petitioner

City of Houston

MAP PROVIDED BY THE APPLICANT



DISCLAIMER: THIS MAP REPRESENTS THE BEST INFORMATION AVAILABLE TO THE CITY. THE CITY DOES NOT WARRANT ITS ACCURACY OR COMPLETENESS. FIELD VERIFICATIONS SHOULD BE DONE AS NECESSARY.

* ADJUSTMENTS MADE BY STAFF D.B.

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA #

SUBJECT:

Permit to use City Right-of-Way for a transformer vault, an overpass, tunnels, column footings, a steam supply line and a condensate return line.

Category #

Page 1 of 1

Agenda Item#

34

FROM: (Department or other point of origin):

Judy Gray Johnson, Director
Finance and Administration

Origination Date

7/20/06

Agenda Date

JUL 26 2006

DIRECTOR'S SIGNATURE:

Council Districts affected:

1

For additional information contact:

Tina Paez

Phone: (713) 837- 9630

Ernest B. Davis

Phone: (713) 837- 9617

Date and identification of prior authorizing
Council Action:

RECOMMENDATION: (Summary)

Approve an ordinance granting a permit to Christus St. Joseph's Health System, to use, occupy, operate, maintain and repair a transformer vault, an overpass, tunnels, column footings, a steam supply line and a condensate return line.

Amount of Funding:

NA

F & A Budget:**SOURCE OF FUNDING:**☐ General Fund☐ Grant Fund☐ Enterprise Fund☐ Other (Specify)**SPECIFIC EXPLANATION:**

It is recommended that City Council approve a permit authorizing Christus St. Joseph's Health System, a Texas nonprofit corporation to use, occupy, operate, maintain and repair a subsurface transformer vault within St. Joseph Parkway between Austin St. and LaBranch St., adjoining Block 400, S.S.B.B.; a subsurface tunnel within Crawford Street between St. Joseph Pkwy. and Pierce St. connecting Blocks 389 and 399, a subsurface tunnel within LaBranch St. between St. Joseph Parkway and Pierce St. connecting Blocks 399 and 400; a utility tunnel and column footings within St. Joseph Parkway between LaBranch St. and Crawford St.; and a subsurface 4" steam supply line and 1½ " condensate return line within Jackson St. between St. Joseph Parkway and Jefferson St. connecting Blocks 397 and 398, S.S.B.B.

The requested permit is a renewal of three administrative permits and Ordinance No. 85-146 that were originally issued to St. Joseph Hospital or Sisters of the Incarnate Word in 1967 thru 1985 to use, construct, maintain and repair a transformer vault, an overpass, tunnels, column footings, a steam supply line and a condensate return line. Christus St. Joseph's Health System is the successors in interest to the transformer vault, overpass, tunnels, column footings, steam supply line and condensate return line.

Public Works & Engineering (PWE) has reviewed the information supplied for the original permits, the metes and bounds descriptions of the locations of the Encroachments, the surveys relating to the Encroachments, and other information supplied by the Permittee, and the terms and provisions of this instrument. The permit is for 30 years and requires Christus St. Joseph's Health System to pay an initial permit fee of \$3,015.00 and an annual inspection fee of \$625. In addition, Christus St. Joseph's Health System will pay a right-of-way use and occupation fee of \$1,391.00 per year escalated annually by the CPI-U and a fee of \$7,296.85 to cover the gap period between the expiration of the permits and the passage of this ordinance.

REQUIRED AUTHORIZATION

F&A Director:

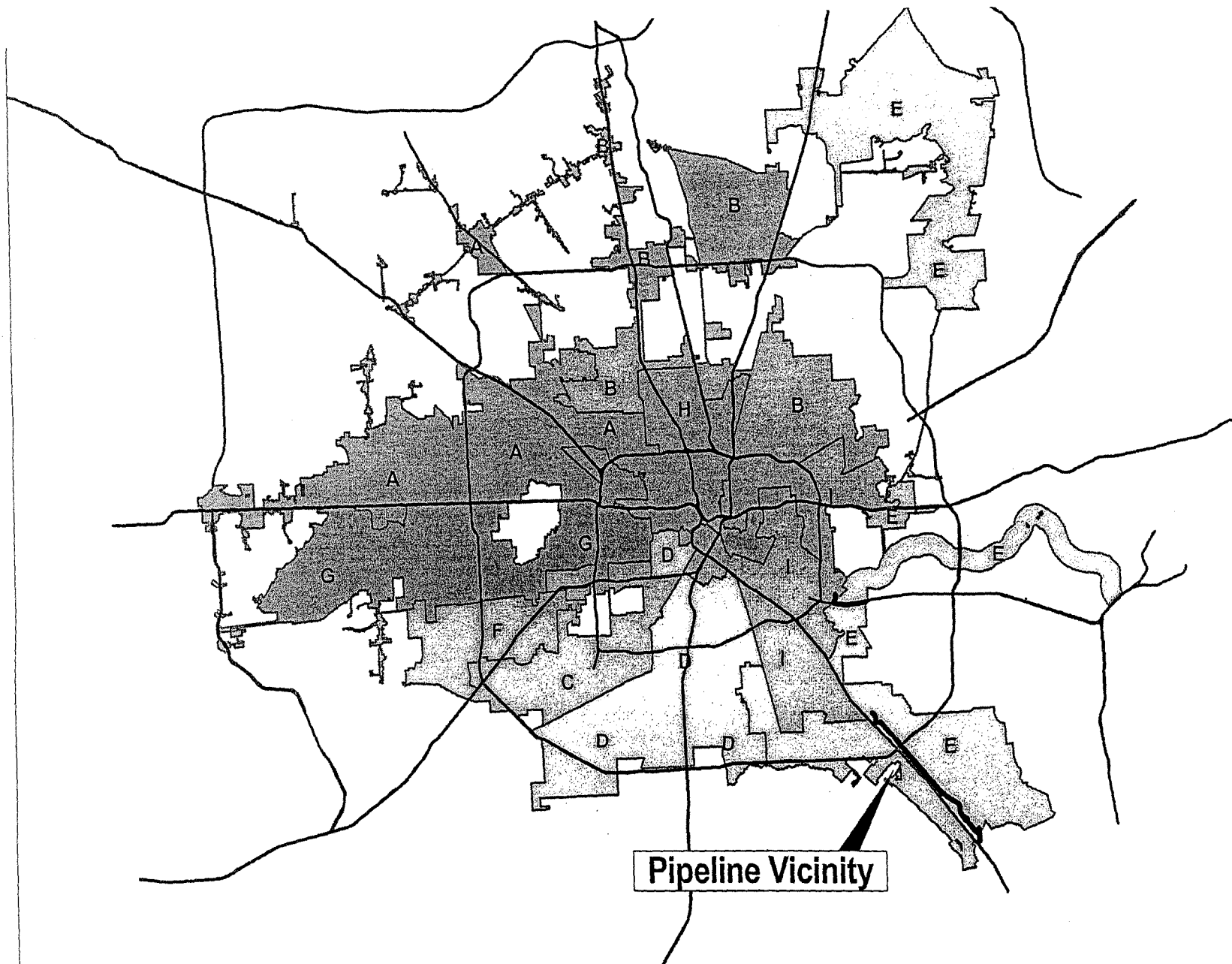
[Signature] 7/20/06
7.20.06


REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA # 20JBX40

SUBJECT: Ordinance to issue pipeline permit to Valero Terminaling and Distribution Company, for one new pipeline for the underground transportation of materials within portions of certain City street rights of way.		Category # 	Page 1 of 1	Agenda Item# <div style="text-align: right; font-size: 2em;">35</div>						
FROM: (Department or other point of origin): Michael Marcotte, P.E., Director Public Works and Engineering		Origination Date 7-20-06		Agenda Date JUL 26 2006						
DIRECTOR'S SIGNATURE: <div style="text-align: center;">  Michael Marcotte, P.E., Director </div>		Council Districts affected: E, I								
For additional information contact: Jim Boxley Phone: (713) 837- 7099 		Date and identification of prior authorizing Council Action:								
RECOMMENDATION: (Summary) Approve an ordinance granting a permit to Valero Terminaling and Distribution Company, a Corporation, to operate, maintain, improve, repair and replace a new pipeline for underground transportation of materials under portions of certain street rights of way.										
Amount of Funding: N/A			F & A Budget:							
SOURCE OF FUNDING: <input type="checkbox"/> General Fund <input type="checkbox"/> Grant Fund <input type="checkbox"/> Enterprise Fund <input type="checkbox"/> Other (Specify)										
SPECIFIC EXPLANATION: <p>It is recommended that City Council approve a pipeline permit pursuant to the provisions of Article IX of Chapter 40 of the Code of Ordinances, authorizing Valero Terminaling and Distribution Company, a Corporation, to operate, maintain, improve, repair a new pipeline for the underground transportation of materials under portions of certain street rights of way in the City, as listed below and more specifically detailed in the permit ordinance:</p> <table border="0" style="width: 100%;"> <thead> <tr> <th style="text-align: left;"><u>Pipeline Name</u></th> <th style="text-align: left;"><u>Diameter Size</u></th> <th style="text-align: left;"><u>Materials Transporting</u></th> </tr> </thead> <tbody> <tr> <td>1. Valero Terminaling And Distribution Co.</td> <td>12 inch</td> <td>Light Cycle Oil, Light Coker Gas Oil, and Naptha</td> </tr> </tbody> </table> <p>The permit is for 30 years. Valero Logistics Operations, L.P. submitted the initial required application permit fee of \$2,000.00 and \$1,000.00 per pipeline to be covered by the permit ordinance for a pipeline for a total of \$3,000.00.</p> <p>LOCATION: The pipeline is located in Key Map grids: 535H; 536 EF; 576 LQV; 577 W; <div style="text-align: center;">617 LR; 618 S</div></p> <p>MM:SB:PV:JB:bg cc: Marty Stein Susan Bandy Dennis Alexander Debra Caldwell Gary Norman</p>					<u>Pipeline Name</u>	<u>Diameter Size</u>	<u>Materials Transporting</u>	1. Valero Terminaling And Distribution Co.	12 inch	Light Cycle Oil, Light Coker Gas Oil, and Naptha
<u>Pipeline Name</u>	<u>Diameter Size</u>	<u>Materials Transporting</u>								
1. Valero Terminaling And Distribution Co.	12 inch	Light Cycle Oil, Light Coker Gas Oil, and Naptha								
REQUIRED AUTHORIZATION			CUIC ID 20JBx40							
F&A Director:	Other Authorization:	Other Authorization: <div style="text-align: center;">  Susan Bandy, Deputy Director Resource Management Division </div>								



 Valero Terminaling



Council_District-A



Council_District-D



Council_District-G



Council_District-B



Council_District-E



Council_District-H



Council_District-C



Council_District-F



Council_District-I



**CITY OF HOUSTON
PUBLIC WORKS AND ENGINEERING**

Valero Terminaling & Distribution Comp.
Pipeline Permit Request
N.T.S.
Vicinity Map
Council District
"E."

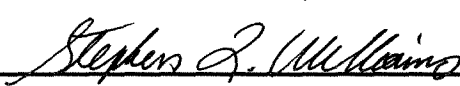
REQUEST FOR COUNCIL ACTION

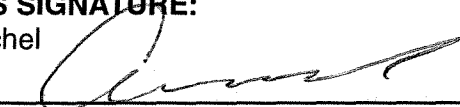
SUBJECT: Ordinance approving a memorandum of understanding with the U.S. Department of Health & Human Services, Centers for Disease Control and Prevention, PulseNet USA Public Health Laboratories for participation in a national network for laboratory surveillance		Category # 9	Page 1 of 1	Agenda Item # 36
FROM (Department or other point of origin): Health and Human Services Department		Origination Date: July 10, 2006	Agenda Date: JUL 26 2006	
DIRECTOR'S SIGNATURE: MB Stephen L. Williams, M.Ed., M.P.A. <i>Stephen L. Williams</i>	Council District affected: ALL			
	For additional information contact: Kathy Barton 713-794-9998 or 713-826-5801		Date and identification of prior authorizing Council action: N/A	
<u>RECOMMENDATION:</u> Adopt ordinance approving a memorandum of understanding with the U.S. Department of Health & Human Services, Centers for Disease Control and Prevention, PulseNet USA Public Health Laboratories to participate in a national network for laboratory surveillance of food borne infections.				
Amount and source of funding: No funding required			F&A Budget:	
<u>EXPLANATION:</u> The Houston Department of Health and Human Services (HDHHS) requests City Council approval of an ordinance authorizing a memorandum of understanding between the U.S. Department of Health & Human Services, Centers for Disease Control & Prevention and PulseNet USA Public Health Laboratories for participation in a national network for laboratory surveillance of food borne infections. Infections caused by food borne agents are a national and global problem. International trade and travel has grown rapidly during the past decades. As a consequence, food borne infections increasingly show up in different parts of the world. A critical component in the investigation of food borne outbreaks is the DNA fingerprint of the causative organisms. The National Center for Infectious Diseases (NCID), Centers for Disease Control & Prevention (CDC) and the participating PulseNet USA state, county, and local laboratories have agreed to develop a program to perform standardized DNA fingerprinting. This will facilitate early identification of food borne infections that will serve as a global alert system for disease outbreaks. The PulseNet USA network was established in 1996 by NCID to facilitate rapid, standardized DNA fingerprints of food borne infections by state and local public health laboratories in the United States and their submission to a central database at CDC. HDHHS recommends having this memorandum of understanding in place prior to an actual emergency, in order to respond as effectively and efficiently as possible should the need arise.				
REQUIRED AUTHORIZATION				
F&A Director:		Other Authorization:		Other Authorization:

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

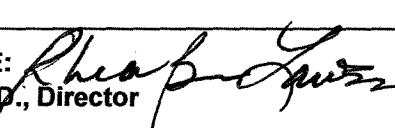
SUBJECT: Ordinance approval authorizing a first amendment to a contract with Scientific Technologies Corporation for additional technological modifications to the Houston-Harris County Immunization Registry		Category # 9	Page 1 of 1	Agenda Item # 37
FROM (Department or other point of origin): Stephen L. Williams, M.Ed., M.P.A. Director-Houston Department of Health and Human Services		Origination Date 07/10/06		Agenda Date JUL 26 2006
DIRECTOR'S SIGNATURE: <i>Stephen L. Williams</i>		Council District affected: ALL		
For additional information contact: Kathy Barton Telephone: 713-794-9998; 713-826-5801		Date and identification of prior authorizing Council action: 11-22-05 ; 2005-1282		
<u>RECOMMENDATION:</u> (Summary) Approval of an Ordinance authorizing a first amendment to Contract # FC59756 with Scientific Technologies Corporation for additional technological modifications within the Houston-Harris County Immunization Registry.				
Amount of Funding: No Additional Funding Required				
F&A Budget:				
SOURCE OF FUNDING: [] General Fund [] Grant Fund [] Enterprise Fund [] Other (Specify)				
<u>SPECIFIC EXPLANATION:</u> The Houston Department of Health and Human Services (HDHHS) requests City Council approval of an ordinance authorizing a first amendment to Contract # FC59756 between the City of Houston and Scientific Technologies Corporation to add Scope of Services for additional technological modifications within the Houston-Harris County Immunization Registry (HHCIR). Ordinance No 2005-1282 awarded this contract on November 22, 2005 for a 12-month term with a one-year renewal period to create a deduplication module that will search through the registry, match duplicate records and merge records together. Without the deduplication module, multiple records for one child may be fragmented within the same database hindering the purpose of the registry. The first amendment will provide export application CDs to interface with Medisoft (patient management and billing system) which will enable HHCIR-enrolled healthcare providers to submit required immunization data electronically to HHCIR using the Medisoft interface. cc: Finance& Administration Legal Department Agenda Director				
REQUIRED AUTHORIZATION				
F&A Director		Other Authorization:		Other Authorization:

SUBJECT: An ordinance approving and authorizing an Interlocal Agreement with Harris County to receive and utilize funds from the Metropolitan Statistical Area (MSA) Cities Readiness Initiative (CRI) grant		Category # 9	Page 1 of 1	Agenda Item # 38
FROM (Department or other point of origin): Stephen L. Williams, M.Ed., M.P.A. Director-Houston Department of Health and Human Services		Origination Date 07/10/06	Agenda Date JUL 26 2006	
DIRECTOR'S SIGNATURE: 		Council District affected: ALL		
For additional information contact: Kathy Barton Telephone: 713-826-5801 or 713-826-5801		Date and identification of prior authorizing Council action:		
RECOMMENDATION: (Summary) Approval of an ordinance to contract with Harris County to receive and utilize funds from the Metropolitan Statistical Area (MSA) Cities Readiness Initiative (CRI) grant.				
Amount of Funding: \$73,161.00- Federal State Local Pass Through Fund (5030)			F&A Budget:	
SOURCE OF FUNDING: [] General Fund [X] Grant Fund [] Enterprise Fund [] Other (Specify)				
SPECIFIC EXPLANATION: The Houston Department of Health and Human Services (HDHHS) requests City Council approval of an ordinance authorizing an interlocal agreement with Harris County to receive and utilize funds from the Metropolitan Statistical Area (MSA) Cities Readiness Initiative (CRI) grant. The term of this agreement is from the date the agreement is executed by the Harris County and by the City whichever is later, through December 31, 2006. Harris County disbursements to the city will not exceed \$73,161.00 under this agreement. The Department of State Health Services (DSHS) designated Harris County, Texas acting through Harris County Public Health and Environmental Services, the fiscal agent of the MSA-CRI grant. This funding will enhance the City's utilization of the Strategic National Stockpile (SNS) in the event of chemical, biological or radiological terrorism and other related events. HDHHS will continue to coordinate activities and jurisdictional responses plans with state, local agencies, regional hospitals, major health care entities, the Metropolitan Response Systems and Council of Government.				
REQUIRED AUTHORIZATION				
F&A Director	Other Authorization:		Other Authorization:	

SUBJECT: Ordinance approving and authorizing a First Amendment with Baker Botts L.L.P. for legal services related to Houston's SafeClear program.		Category # 6	Page 1 of 1	Agenda Item # 39
FROM (Department or other point of origin): Legal Department		Origination Date 7/19/06	Agenda Date JUL 26 2006	
DIRECTOR'S SIGNATURE: Arturo G. Michel City Attorney 		Council District affected: All		
For additional information contact: Malinda York Crouch Phone: (713) 247-2015		Date and identification of prior authorizing Council action: Ordinance No. 2005-0164 02/23/05 Motion No. 2005-1085 11-16-05		
RECOMMENDATION: (Summary) Approve and authorize a First Amendment with Baker Botts L.L.P. for legal services related to Houston's SafeClear Program.				
Amount of Funding: No additional funding required.			F & A Budget:	
SOURCE OF FUNDING: <input type="checkbox"/> General Fund <input type="checkbox"/> Grant Fund <input type="checkbox"/> Enterprise Fund <input type="checkbox"/> Other (Specify)				
SPECIFIC EXPLANATION: <p>The Legal Department recommends that City Council approve a First Amendment with Baker Botts L.L.P. to represent the City of Houston in connection with a second lawsuit filed by Houston Professional Towing Association seeking an injunction in connection with the City's SafeClear program. The plaintiff is seeking a Declaratory Judgment that the amended ordinance creating the City's current SafeClear program is unconstitutional and violates state and federal law. The plaintiff also alleges that the amended ordinance constitutes a confiscatory taking.</p> <p>Baker Botts represented the City's interest in the first lawsuit filed by Houston Professional Towing Association and three wrecker operators against the City's SafeClear program. The Court concluded that the SafeClear program was genuinely responsive to safety concerns, but enjoined the City from enforcing three specific subsections of the ordinance, and entered summary judgment in favor of the City on the plaintiffs' other claims. On November 22, 2005, City Council approved Ordinance 2005-1271 implementing a modified SafeClear program that would comply with the Court's order.</p> <p>The Legal Department recommends that City Council approve a First Amendment with Baker Botts in order to permit the law firm to continue to represent the City in connection with the SafeClear program.</p>				
REQUIRED AUTHORIZATION				
F&A Director:	Other Authorization:		Other Authorization:	

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Ordinance approving professional services contract with AMIGOS Library Services for virtual reference services for the Houston Area Library System.		Category	Page 1 of 1	Agenda Item 40
FROM (Department or other point of origin): Library Department		Origination Date 7-19-06		Agenda Date JUL 26 2006
DIRECTOR'S SIGNATURE:  Rhea Brown Lawson, Ph.D., Director		Council District affected: All		
For additional information contact: Greg Simpson Phone: 832-393-1333		Date and identification of prior authorizing Council action:		
RECOMMENDATION: Adopt ordinance approving contract with AMIGOS Library Services to provide real-time virtual reference service to customers of the Houston Public Library and libraries in the Houston Area Library System.				
Amount and Source of Funding: A total of \$244,005.00 over three years: Fed/State/Local – Pass Fund (5030).				F&A Budget:
<p>SPECIFIC EXPLANATION: The Library Director recommends Council approval of a contract with Amigos Library Services for real-time virtual reference services (OCLC QuestionPoint 24/7) to be provided to the Houston Area Library System (HALS). AMIGOS Library Services, a non-profit organization, has a membership that consists of 750 libraries and cultural institutions located primarily in the southwestern United States. They serve as the contracting agent and training source for OCLC QuestionPoint. QuestionPoint is a unique virtual reference service, supported by a global network of cooperating libraries. OCLC is the only source that provides the virtual reference service in a complete reference management solutions package. They currently provide this service to approximately 1200 public and academic libraries across the United States. The contract will run from the date of countersignature through August 30, 2009.</p> <p>HALS is a cooperative library system in Texas that is funded by state/federal monies administered through the state library. Although the funds to be expended here are state/federal grant funds, the City of Houston is the contract administrator for this state grant and is required to approve these funds. The HALS office is located at the Houston Public Library and serves 70 member libraries (including Houston Public Library) throughout 28 southeast counties with a service population of over 6 million Texans. HALS provides support services of consulting, continuing education, and technology to members.</p> <p>Under this agreement, OCLC will provide remote reference services by well-qualified librarians in real time 24/7 to the HALS service area. This collaborative effort will include a partnership of the three largest HALS library systems (Houston Public Library, Harris County Public Library and Fort Bend County Public Library) to offer this value-added information service. Customers of the Houston Public Library will have access to staff during regular business hours (in person, by phone or by email/virtual reference services already in place). After normal business hours, customer calls and emails would be forwarded to a professional librarian, most likely one who is contracted for service with OCLC.</p>				
REQUIRED AUTHORIZATION		CUIC ID #		NOT
F&A Director:	Other Authorization:	Other Authorization:		

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 7016

Subject: Approve an Amending Ordinance to Increase the Spending Authority for a contract for Telecommunications Services

Category #
5

Page 1 of 1

Agenda Item

41

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Finance and Administration Department

Origination Date

July 17, 2006

Agenda Date

JUL 26 2006

DIRECTOR'S SIGNATURE

Calvin D. Wells

Council District(s) affected
All

For additional information contact:

Janis Jefferson Phone: (832) 393-0004
Ray DuRousseau Phone: (713) 247-1735

Date and Identification of prior authorizing Council Action:

Ord. 2001-849 Passed 9/12/01, 2002-20 Passed 1/9/2002, 2004-776 Passed 7/14/2004

RECOMMENDATION: (Summary)

Approve an amending ordinance to increase the spending authority for a contract between the City of Houston and the State of Texas, Department of Information Resources from \$1,116,857.00 to \$1,513,148.00 for Telecommunications Services citywide.

Spending Authority: \$396,291.00 - Central Services Revolving (1002)

F & A Budget

SPECIFIC EXPLANATION:

Approve an amending ordinance to increase the spending authority for contract between the City of Houston and the State of Texas, Department of Information Resources (DIR) from \$1,116,857.00 to \$1,513,148.00 for Telecommunications Services citywide.

This contract was awarded September 12, 2001, for a 30-month term in the amount of \$420,000.00. It was subsequently amended in January 9, 2002 to increase contract spending authority to \$749,657.00, and again on July 14, 2004 to increase spending authority to \$1,116,857.00 and to extend the term to July 27, 2007.

The additional proposed spending authority will allow services to continue through the end of the contract term. The Information Technology Department is currently assessing this contract and will determine the feasibility of bidding segments of this contract. The City Purchasing Agent may terminate this contract at any time upon 30 days written notice to the contractor.

The scope of work requires DIR to provide connectivity services through the TEX-AN network for long distance, Internet access, 1-800 services, language line, and calling cards ("Communications Services").

The contract authority is provided by the Texas Government Code, Chapter 791, Interlocal Cooperation Act as applicable, and Title 10, Subtitle D, Chapter 2170, Telecommunications Services. Participation in the State programs has enabled the City to take advantage of the volume discounts extended to the State.

Buyer: Frank Rodriguez



REQUIRED AUTHORIZATION

F&A Director:

Other Authorization:

Other Authorization:

REQUEST FOR COUNCIL ACTION

SUBJECT: STEP - Impaired Driving Mobilization Grant AmendmentFY2006		Category #	Page 1 of 1	Agenda Item # 42
FROM: Houston Police Department		Origination Date July 12, 2006		Agenda Date JUL 26 2006
DIRECTOR'S SIGNATURE: Harold L. Hurtt, Chief of Police 		Council Districts affected: All		
For additional information contact: Larry Yium, Deputy Director, Budget and Finance 713-308-1770		Date and identification of prior authorizing Council Action: Ord.# 05-0766 06/17/05		
RECOMMENDATION: (Summary) Recommendation for approval of an ordinance for said grant, and authorizing the acceptance of funding from the Texas Department of Transportation (TxDOT) for the STEP-Impaired Driving Mobilization Grant FY2006.				
Amount of Funding:		TxDOT FUNDS \$ 70,000		TOTAL \$ 70,000
SOURCE OF FUNDING: [] General Fund [X] Grant Fund [] Enterprise Fund [] Other (Specify)		F & A Budget: 		
SPECIFIC EXPLANATION <p style="text-align: center;"><u>STEP-Impaired Driving Mobilization Grant AmendmentFY2006</u></p> <p>The Houston Police Department has been awarded \$70,000 from the Texas Department of Transportation (TxDOT) for the FY2006 Impaired Driving Mobilization Program. This grant is an overtime reimbursement program and is an integral part of the Police Department's objective to remove impaired drivers from the streets and highways throughout the city. This funding will be to conduct an increased DWI enforcement effort during the September 2006 Labor Day Holiday weekend. The grant period becomes effective on August 15, 2006, or on the date of final signature of both parties, whichever is later, and ends on September 30, 2006 unless terminated or otherwise modified. No city cash match will be required for this funding.</p>				
cc: Arturo Michel, City Attorney Marty Stein, Agenda Director Anna Russell, City Secretary				
REQUIRED AUTHORIZATION				
F&A Director:		Other Authorization:		Other Authorization:

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary

RCA# 6955

Subject: Formal Bids Received for Bookbinding, Rebinding and Repair Services for the Library Department
LC N-0734-033-21049

Category #
4

Page 1 of 1

Agenda Item

43

FROM (Department or other point of origin):

Calvin D. Wells
City Purchasing Agent
Finance and Administration Department

Origination Date

July 06, 2006

Agenda Date

JUL 26 2006

DIRECTOR'S SIGNATURE

[Signature]

Council District(s) affected
All

For additional information contact:

Richard Barchue Phone: (832) 393-1558
Ray DuRousseau Phone: (713) 247-1735

Date and Identification of prior authorizing Council Action:

RECOMMENDATION: (Summary)

Approve an ordinance awarding a contract to Houchen Bindery Ltd. And Divisions on its low bid for bookbinding, rebinding and repair services in an amount not to exceed \$311,606.25 for the Library Department.

Estimated Spending Authority: \$311,606.25

F & A Budget

\$311,606.25 - General Fund (1000)

SPECIFIC EXPLANATION:

The City Purchasing Agent recommends that City Council approve an ordinance awarding a three-year contract, with two one-year options to extend, for a total five-year term, to Houchen Bindery Ltd. And Divisions on its low bid in an amount not to exceed \$311,606.25 for bookbinding, rebinding and repair services for the Library Department. The City Purchasing Agent may terminate this contract at any time upon 30-days written notice to the contractor. This contract will be used for the repair of books, periodicals and other forms of library material.

This project was advertised in accordance with the requirements of the State of Texas bid laws. Thirteen prospective bidders viewed the solicitation document on SPD's e-bidding website and three bids were received from the companies listed below:

	<u>Company</u>	<u>Total Amount</u>
1.	Houchen Bindery Ltd. And Divisions	\$311,606.25
2.	HF Group, LLC (Bid No. 1)	\$346,048.00
3.	HF Group, LLC (Bid No. 2)	\$346,048.00

The scope of work requires the contractor to provide all labor, materials, equipment, transportation and supervision necessary to bind, rebind and repair books, periodicals and other forms of library material such as audio visual media.

Estimated Spending Authority

DEPARTMENT	FY 2007	OUT YEARS	TOTAL
Library	\$50,000.00	\$261,606.25	\$311,606.25

Buyer: Mary Mitchell

Attachment: M/WBE Zero-Percentage Goal Document Approved by the Affirmative Action Division

REQUIRED AUTHORIZATION

NOT

F&A Director:

Other Authorization:

Other Authorization:



CITY OF HOUSTON

Finance & Administration Department
Strategic Purchasing Division (SPD)

Interoffice

Correspondence

To: Kevin M. Coleman, C.P.M.
Assistant Purchasing Agent

From: Mary Mitchell

Date: 2/23/06

Subject: MWBE Participation Form

I am requesting a waiver of the MWBE Goal: Yes ☒ No ☐ Type of Solicitation: Bid ☒ Proposal ☐

I am requesting a MWBE goal below 11% (To be completed by SPD, and prior to advertisement): Yes ☒ No ☐ 0%

I am requesting a revision of the MWBE Goal: Yes ☐ No ☐ Original Goal: _____ New Goal: _____

If requesting a revision, how many solicitations were received: _____

Solicitation Number: LC-N-0734-033-21049 Estimated Dollar Amount: \$250,000.00

Anticipated Advertisement Date: 3/24/2006 Solicitation Due Date: 4/20/2006

Goal On Last Contract: N/A Was Goal met: Yes ☐ No ☐

If goal was not met, what did the vendor achieve: _____

Name and Intent of this Solicitation:
Bookbinding, Rebinding and Repair Services for the Library Department

Rationale for requesting a Waiver or Revision (Zero percent goal or revision after advertisement):
(To be completed by SPD)

This contract request requires the contractor to bind, rebind and repair library books, periodicals and AV media, some of which are rare and priceless. Therefore, there are very few contractors who can provide this service, in accordance with the American National Standards Institute/National Information Standards Organization /Library Binding Institute Standard for Library Binding, copyright 2000. As such, there is no CMWBE sub-contracting potential for this service and I am requesting a zero goal for this solicitation.

Concurrence:

SPD Initiator

Velma Laws, Director
*Affirmative Action

Division Manager


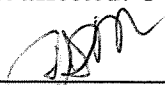


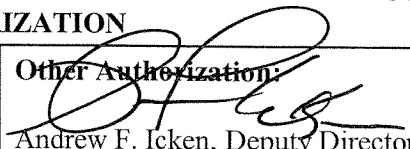
Kevin M. Coleman, C.P.M.
Assistant Purchasing Agent

* Signature is required, if the request is for zero percent MWBE participation, or to revise the MWBE goal.

REVISED: 11/15/2005

REQUEST FOR COUNCIL ACTION

TO: Mayor via City Secretary		RCA #	
SUBJECT: Ordinances granting Commercial Solid Waste Operator Franchises	Category #	Page 1 of 2	Agenda Item#
	<i>3rd Reading 29 to 31</i>		
FROM: (Department or other point of origin): Judy Gray Johnson, Director Finance and Administration		Origination Date 6-29-06	Agenda Date JUL 05 2006
DIRECTOR'S SIGNATURE: <i>Judy Gray Johnson</i>		Council Districts affected: JUL 12 2006 ALL	<div style="border: 2px solid black; padding: 5px; font-size: 1.5em;"> <i>20 to 22</i> </div>
For additional information contact: Judy Gray Johnson Phone: (713) 837- 9888 Thomas "Buck" Buchanan Phone: (713) 837- 9103		Date and identification of prior authorizing Council Action: Ord. # 2002-526 – June 19, 2002; Ord. # 2002-1166-December 18, 2002.	
RECOMMENDATION: (Summary)			<div style="border: 2px solid black; padding: 5px; font-size: 1.5em;"> <i>44 to 46</i> </div>
Approve ordinances granting Commercial Solid Waste Operator Franchises.			
Amount of Funding: NA		F & A Budget: JUL 26 2006	
SOURCE OF FUNDING: <input type="checkbox"/> General Fund <input type="checkbox"/> Grant Fund <input type="checkbox"/> Enterprise Fund <input type="checkbox"/> Other (Specify)			
SPECIFIC EXPLANATION: It is recommended that City Council approve ordinances granting Commercial Solid Waste Operator Franchises to the following solid waste operators ("Franchisees") pursuant to Article VI, Chapter 39. The proposed Franchisees are: 1. United Waste Services, Inc 2. Sure Disposal Services, Inc 3. Quick Silver Hauling, LLC The proposed Franchises grant the Franchisees the right to use the City's public ways for the purpose of collecting, hauling or transporting solid or industrial waste from commercial properties located within the City of Houston. In consideration for this grant, the Franchisees agree to pay to the City an annual Franchise Fee equal to 4% of their annual gross revenues, payable quarterly. To verify the Franchisees' compliance with the franchise, the City has the right to inspect, and the companies have the duty to maintain, required customer records during regular business hours. The franchise contains the City's standard release and indemnification, default and termination, liquidated damages and force majeure provisions. The proposed franchise term expires on December 31, 2013. It is recommended that City Council approve the proposed ordinances granting Commercial Solid Waste Operator franchises to the Franchisees.			
REQUIRED AUTHORIZATION			
F&A Director:			

SUBJECT: Request for the abandonment and sale of Meyer Park Boulevard, from Meyer Forest Drive to its cul-de-sac terminus, in exchange for the conveyance to the City of a sanitary sewer easement, all located in Reserve A2, Meyer Park South Replat. Parcels SY6-092 and DY6-037		Category # 7	Page <u>1</u> of <u>2</u>	Agenda Item # 47
FROM (Department or other point of origin): Department of Public Works and Engineering		Origination Date 7-19-06		Agenda Date JUL 26 2006
DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., DEE, Director		Council District affected: C Key Map 531V 		
For additional information contact: Nancy P. Collins Senior Assistant Director-Real Estate Phone: (713) 837-0881 		Date and identification of prior authorizing Council Action:		
RECOMMENDATION: (Summary) It is recommended City Council approve a council motion authorizing the abandonment and sale of Meyer Park Boulevard, from Meyer Forest Drive to its cul-de-sac terminus, in exchange for the conveyance to the City of a sanitary sewer easement, all located in Reserve A2, Meyer Park South Replat. Parcels SY6-092 and DY6-037				
Amount and Source of Funding: Not Applicable				F & A Budget:
SPECIFIC EXPLANATION: C. Fred Meyer of Luel Partnership, Ltd. [M.C. Interests, L.C. (C. Fred Meyer and Ellen C. King, Managers), General Partner], P.O. 1074, Bellaire, Texas 77402, requested the abandonment and sale of Meyer Park Boulevard, from Meyer Forest Drive to its cul-de-sac terminus, located in Reserve A2, Meyer Park South Replat. Signs notifying the public of the pending street abandonment application were posted for at least thirty days. Luel Partnership, Ltd., the abutting property owner, plans to combine the property being abandoned and sold with its abutting property for future commercial development. The Joint Referral Committee reviewed and approved this request, subject to the conveyance to the City of a sanitary sewer easement. Therefore, it is recommended: 1. The City abandon and sell Meyer Park Boulevard, from Meyer Forest Drive to its cul-de-sac terminus, in exchange for the conveyance to the City of a sanitary sewer easement, all located in Reserve A2, Meyer Park South Replat; 2. The applicant be required to: (a) cut, plug, and abandon the 8-inch water line within Meyer Park Boulevard and transfer any water meters and/or fire lines currently connected to the 8-inch water line and (b) convey to the City additional easement along the south side of Meyer Park Boulevard to provide a sanitary sewer easement totaling 25 feet in width centered over the existing 12-inch sanitary sewer line at this location and keep this easement clear at all times with no parking permitted on the easement, all at no cost to the City and under the proper permits, and pay the depreciated value of the water line being abandoned; 3. The applicant be required to: (a) eliminate the appearance of a public street at the intersection of Meyer Park Boulevard and Meyer Forest Drive and (b) remove or convert to private service through an agreement with CenterPoint Energy the four street lights located in the median of Meyer Park Boulevard; 4. The applicant be required to obtain a letter of no objection from each of the privately owned utility companies for the street being abandoned and sold; 5. The applicant be required to furnish the Department of Public Works and Engineering with a durable, reproducible (Mylar) survey plat and field notes of the affected property;				
psm\sy6-092.rc1.doc				CUIC #20PSM8768
REQUIRED AUTHORIZATION				
F&A Director:	Other Authorization:	Other Authorization:  Andrew F. Icken, Deputy Director Planning and Development Services Division		

Date:	Subject: Request for the abandonment and sale of Meyer Park Boulevard, from Meyer Forest Drive to its cul-de-sac terminus, in exchange for the conveyance to the City of a sanitary sewer easement, all located in Reserve A2, Meyer Park South Replat. Parcels SY6-092 and DY6-037	Originator's Initials	Page <u>2</u> of <u>2</u>
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6. The Legal Department be authorized to prepare the necessary transaction documents; and
7. Inasmuch as the value of the property interest is expected to exceed \$25,000.00, that City Council appoint two independent real estate appraisers to establish the value and one alternate independent real estate appraiser should one of the two appointed appraisers be unable to accept the assignment.

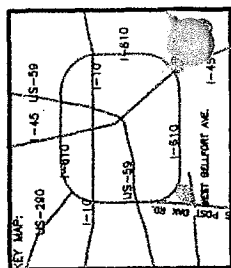
MSM:NPC:psm

cc: Marty Stein
 Arturo G. Michel
 Marlene Gafrick
 Phil Boriskie
 Jeff Taylor
 Harish Jajoo, P.E.
 Jack Whaley
 Daniel W. Krueger, P.E.

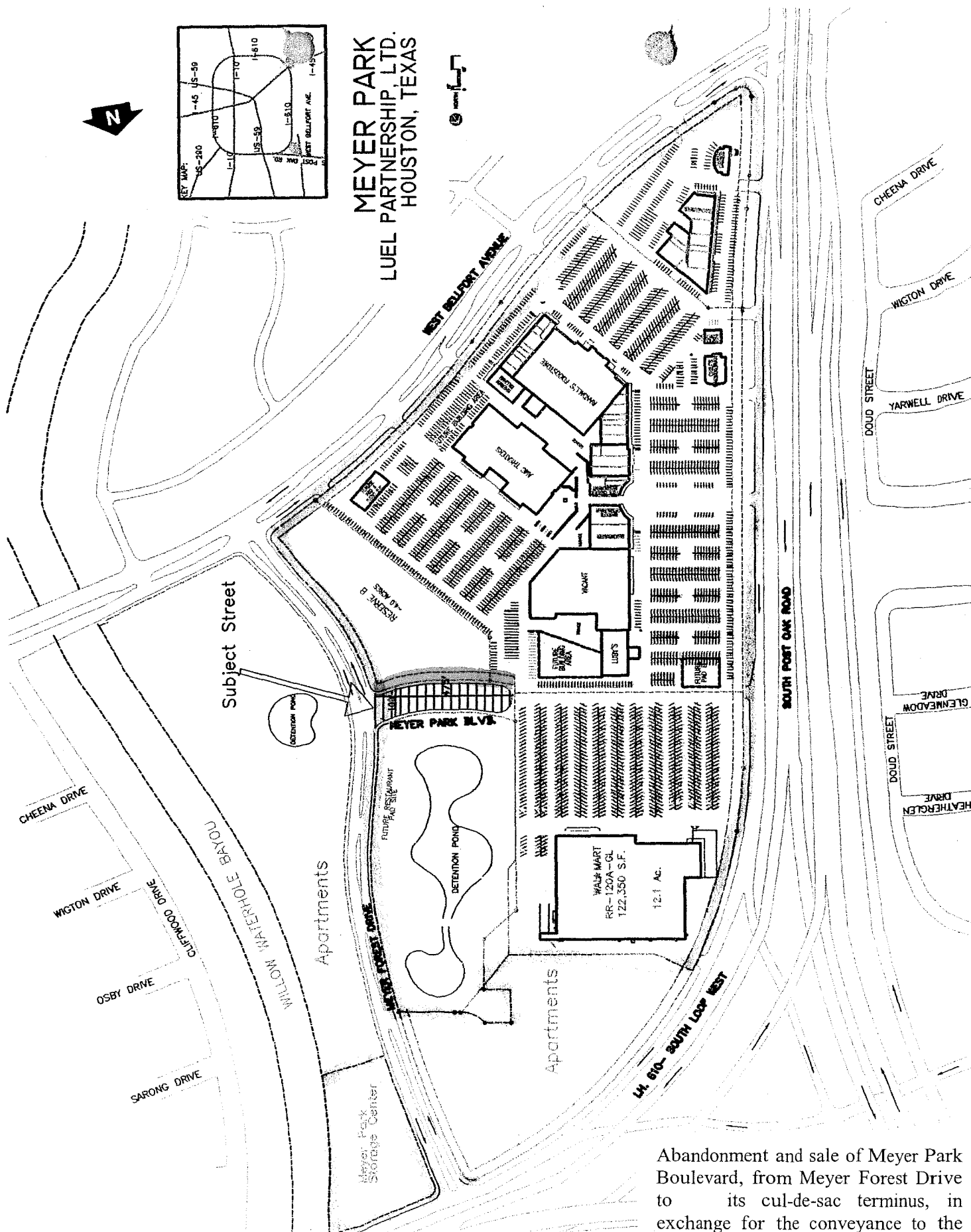
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The location of property arrows shown on this map are approximate only. Inaccuracies may exist on map such as missing, incorrectly drawn, or incorrectly addressed streets. Please report any such inaccuracy to MapPro, Inc. so that appropriate corrections can be made.

Prepared by City of Houston using MapPro Service. MapPro Inc., 3033 Chimney Rock, Suite 580, Houston, TX 77056 (713)789-1406



**MEYER PARK
LUEL PARTNERSHIP, LTD.
HOUSTON, TEXAS**

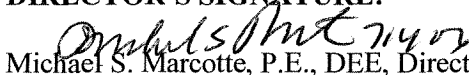


-  Parcel SY6-092 (Meyer Park Boulevard)
-  Parcel DY6-037 (Sanitary Sewer Easement)

Abandonment and sale of Meyer Park Boulevard, from Meyer Forest Drive to its cul-de-sac terminus, in exchange for the conveyance to the City of a sanitary sewer easement, all located in Reserve A2, Meyer Park South Replat. **Parcels SY6-092 and DY6-037**

SUBJECT: Request for the abandonment and sale of a portion of Clay Avenue, from Hughes Street east to its terminus, located in the Swope addition, out of the Luke Moore League, A-51. Parcels SY6-093 and SY6-122	Category # 7	Page 1 of <u>1</u>	Agenda Item # 48
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FROM (Department or other point of origin): Department of Public Works and Engineering	Origination Date 7-19-06	Agenda Date JUL 26 2006
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DIRECTOR'S SIGNATURE:  Michael S. Marcotte, P.E., DEE, Director	Council District affected: I Key Map 494Y
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For additional information contact: Nancy P. Collins Senior Assistant Director-Real Estate Phone: (713) 837-0881 	Date and identification of prior authorizing Council Action:
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RECOMMENDATION: (Summary) It is recommended City Council approve a council motion authorizing the abandonment and sale of a portion of Clay Avenue, from Hughes Street east to its terminus, located in the Swope addition, out of the Luke Moore League, A-51. **Parcels SY6-093 and SY6-122**

Amount and Source of Funding: Not Applicable	F & A Budget:
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SPECIFIC EXPLANATION:
Paul J. Coselli, 5610 Polk, Houston, Texas, 77023, on behalf of Schumacher Co, Inc., (Paul J. Coselli, President) and Admiral Glass, (Les Craft, Chief Executive Officer) requested the abandonment and sale of a portion of Clay Avenue, from Hughes Street east to its terminus, located in the Swope Addition, out of the Luke Moore League, A-51. Schumacher Company, Inc., and Admiral Glass plan to fence off Clay Avenue to increase security and use the street for intercompany traffic. The Joint Referral Committee reviewed and approved this request. Therefore, it is recommended:

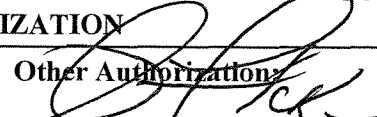
1. The City abandon and sell a portion of Clay Avenue, from Hughes Street east to its terminus, located in the Swope addition, out of the Luke Moore League, A-51;
2. The applicant be required to: (a) cut, plug, and abandon the existing 4-inch water line and connect any water meters servicing this line to the 8-inch water main in Hughes Street; (b) cut, plug, and abandon the existing 8-inch sanitary sewer line and connect any properties being serviced by this line to the 8-inch sanitary sewer line in Hughes Street; and (c) relocate the two storm sewer inlets currently located in Clay Street into Hughes Street, all at no cost to the City and under the proper permits and pay the depreciated values of the utilities being abandoned;
3. The applicant be required to obtain a letter of no objection from each of the privately owned utility companies for the street right-of-way being abandoned and sold;
4. The applicant be required to furnish to the Department of Public Works and Engineering a durable, reproducible (Mylar) survey plat and field notes of the affected property;
5. The applicant be required to eliminate the appearance of a public street at the corner of Clay Avenue and Hughes Street;
6. The Legal Department be authorized to prepare the necessary transaction documents; and
7. Inasmuch as the value of the property interest is expected to exceed \$25,000.00, that City Council appoint two independent real estate appraisers to establish the value and one alternate independent real estate appraiser should one of the two appointed appraisers be unable to accept the assignment.

MSM:NPC:rp

c: Marty Stein	Jeff Taylor	Marlene Gafrick	Harish Jajoo, P.E.
Arturo G. Michel	Jack Whaley	Phil Boriskie	Daniel W. Krueger, P.E.

s:\rp\sy6-093.rcl.doc

CUIC #20RP8769

REQUIRED AUTHORIZATION		
F&A Director:	Other Authorization:	Other Authorization:  Andrew F. Icken, Deputy Director Planning and Development Services Division

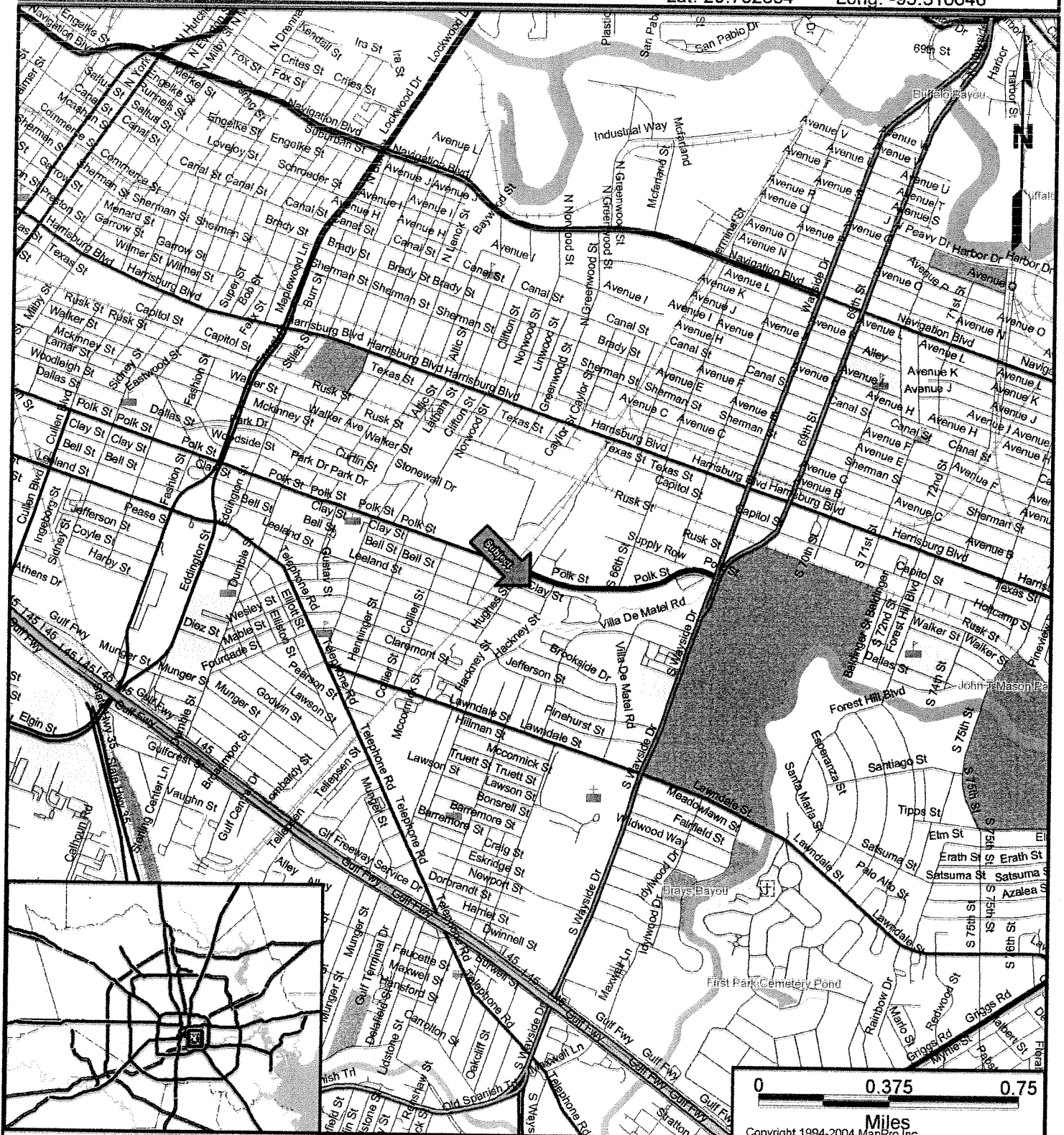
LOCATION MAP

Abandonment and sale of a portion of Clay Avenue, from Hughes Street east to its terminus, located in the Swope addition, out of the Luke Moore League, A-51. **Parcels SY6-093 and SY6-122**

Lender or Client:

Lat: 29.732654

Long: -95.316646



CAUTION:

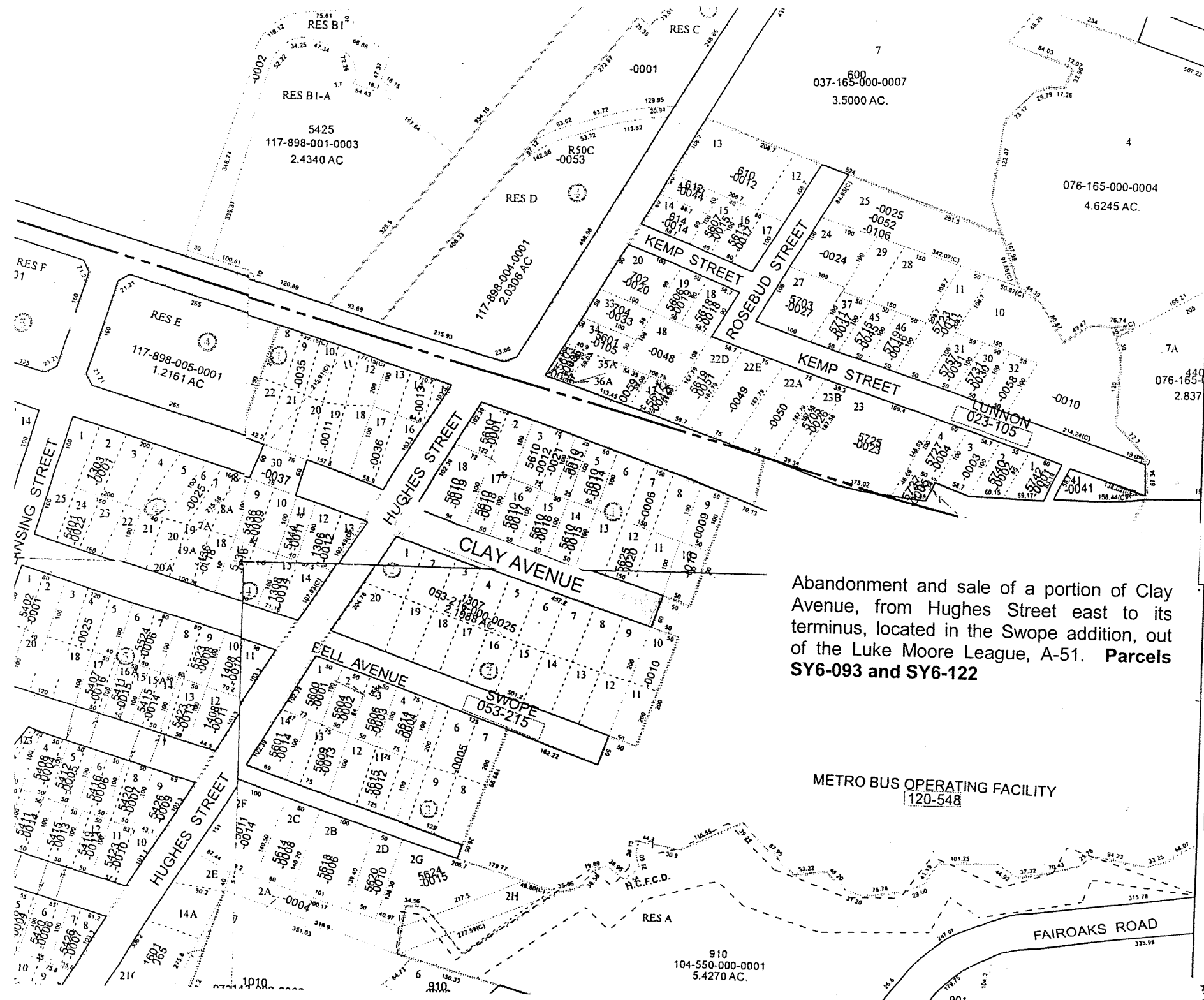
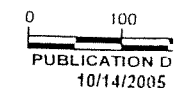
The location of property arrows shown on this map are approximate only. Inaccuracies may exist on map such as missing, incorrectly drawn, or incorrectly addressed streets. Please report any such inaccuracy to MapPro, Inc. so that appropriate corrections can be made.

Prepared by City of Houston using MapPro Service. MapPro Inc., 3033 Chimney Rock, Suite 580, Houston, TX 77056 (713)789-1406



1	2	3
5	6	7
9	10	11

**Harris
County
Apprai
Distric**



SUBJECT: Accept Work Stewart Builders, Ltd. (Contract 55802) Parks Master Plan – Bid Package No. 5 Settegast Park and Swiney Park GFS No. F-504B-13-3 and F-0507-00-3		Category 1, 7	Page 1 of 1 Agenda Item 49
FROM (Department or other point of origin): Building Services Department		Origination Date 7-6-06	Agenda Date JUL 12 2006
DIRECTOR'S SIGNATURE: Issa Z. Dadoush, P.E. <i>Issa Z. Dadoush</i> 6/21/06		Council District affected: B, H	
For additional information contact: Jacquelyn L. Nisby <i>Jacquelyn Nisby</i> Phone: 713-247-1814 Vladimir Naranjo <i>Vladimir Naranjo</i> Phone: 713-247-1338		Date and identification of prior authorizing Council action: Ordinance No. 04-0265 Dated 04/07/04	
RECOMMENDATION: Pass a motion approving the final contract amount of \$1,587,255.00, accept the work, and authorize final payment.			
Amount and Source of Funding: No Additional Funding Required Previous Funding: \$1,607,600.00 Parks Consolidated Construction Fund 421		F & A Budget:	

SPECIFIC EXPLANATION: The Building Services Department recommends that City Council approve the final contract amount of \$1,587,255.00 or 4.98% over the original contract amount, accept the work and authorize final payment to Stewart Builders, Ltd.

PROJECT LOCATIONS: Settegast Park 3001 Garrow (494N) Swiney Park 2812 Cline (494J)

PROJECT DESCRIPTIONS: The scope of work consisted of the following:

- **Settegast Park:** New walkways and plazas, drainage and electrical improvements, new picnic facilities and playground equipment, multi-purpose pavilion renovations, ball field upgrades, tennis court and parking lot improvements, tree planting and irrigation, enlarged restroom facilities, and removed and replaced swimming pool with a new water playground and shade structure.
- **Swiney Park:** Renovated the interior and exterior of the community center building and basketball pavilion, constructed a new perimeter trail with corner entries and ramps, planted trees, and installed an irrigation system. The Plaza improvements included decorative paving, landscaping including raised planters, trees, groundcover and an irrigation system.

CONTRACT COMPLETION AND COST: The contractor completed the work within the contract time, plus 41 additional days allowed by Change Order 1. The final cost of the project, including Change Orders 1-3 is \$1,587,255.00, an increase of \$75,255.00 over the original contract amount.

The project design consultant and construction manager was Clark Condon Associates Inc.

CHANGE ORDER DESCRIPTION: Change Order 1 removed and replaced all deteriorated sections of mechanical (HVAC) ductwork and insulation; modified the sanitary sewer, sidewalk alignment, electrical, mechanical and plumbing requirements; added four light fixtures and sheetrock furr downs; added 850 square feet of concrete sidewalk and modular block retaining wall; removed and replaced existing deteriorated down spout receivers and associated storm drainage system at Swiney Park, and modified the domestic water service and electrical system requirements; removed and replaced concrete sidewalk; and installed accessible ramp for Settegast Park Community Center. Change Order 2 furnished and installed light fixtures, weatherproof switch on column and tied circuit into existing time clock at the Polygon shade structure; and demolished existing pole lights and related wiring at Settegast Park. Change Order 3 prepared and painted existing light poles at Settegast and Swiney Parks and furnished and installed three benches and one picnic table for Swiney Park.

M/WBE INFORMATION: The M/WBE goal for this contract was 17%. According to the Affirmative Action and Contract Compliance Division, the contractor achieved 9.04% actual participation and received an unsatisfactory rating.

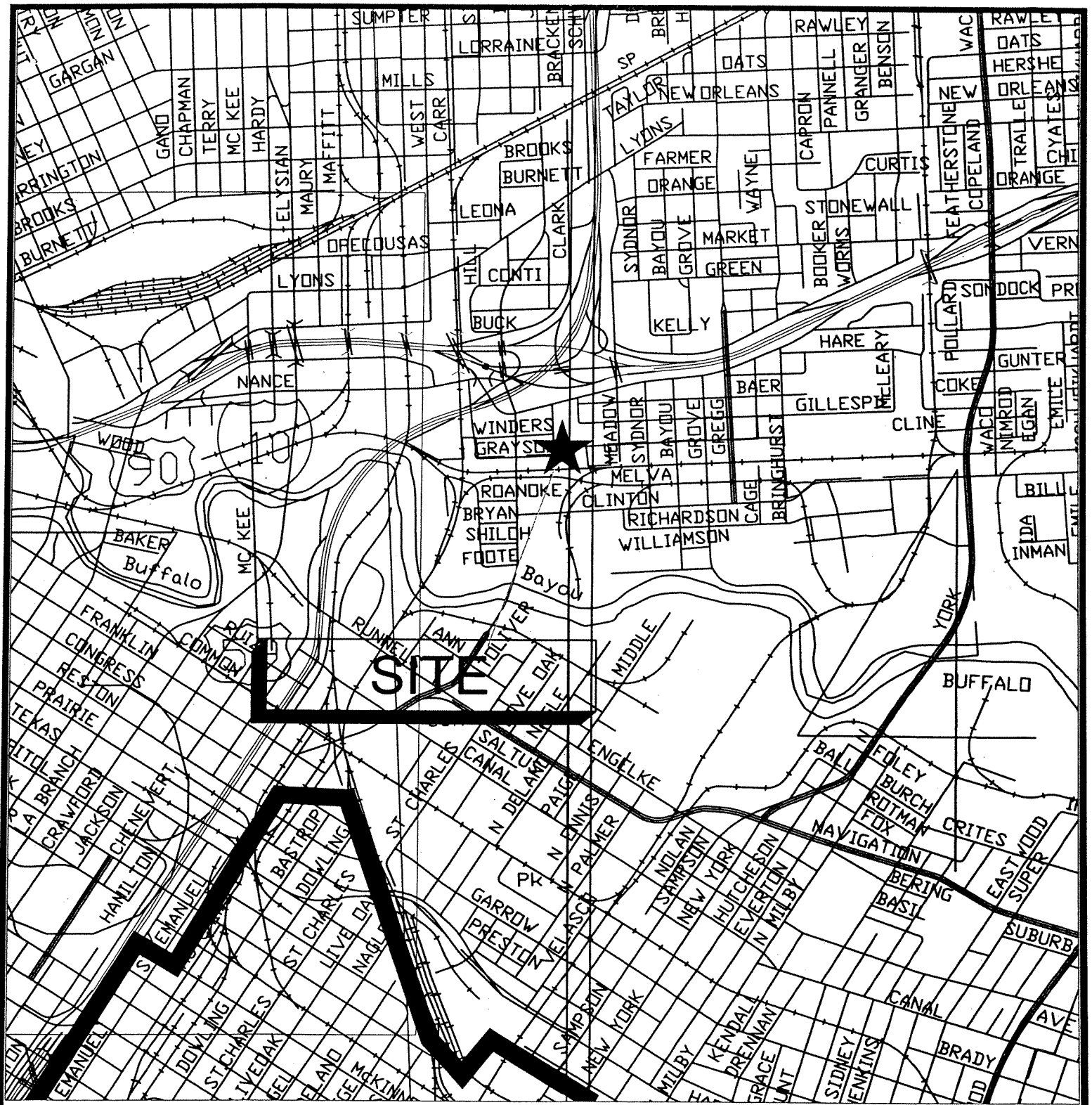
IZD: VP JLN: tc

CC: M. Stein, J. Nisby, M. Ross, V. Laws, File

REQUIRED AUTHORIZATION		CUIC ID # 25VPN031	NOT
Other Authorization: <i>Wendy Teas Heger</i> Wendy Teas Heger, AIA Chief of Design & Construction Division Building Services Department	Other Authorization:	Other Authorization: <i>Joe Turner</i> Joe Turner, Director Parks and Recreation Department	



KEY MAP NO. 494N



SWINEY PARK
2812 CLINE

COUNCIL DISTRICT "B"

KEY MAP NO. 494J

Stewart Builders, Ltd.

General Contractors • Construction Managers

September 19, 2005

RECEIVED

SEP 27 2005

AFFIRMATIVE ACTION

Velma Laws, Director
City of Houston
Affirmative Action and Contract
Compliance Division
611 Walker
Houston, Texas 77002

Dear Ms. Laws,

In reply to your letter dated August 31, 2005, Stewart Builders would like to offer the following:

Labor Compliance Evaluation and Rating:


The requested documents were submitted to the City of Houston by overnight courier on August 30, 2005 with the exception of Saab's Construction. Stewart Builders contacted Saab's Construction and attached to this letter are their Certified Payrolls for the weeks they were on the job site.

MWDBE Compliance Evaluation and Rating:

Stewart Builders incorrectly submitted United Electrical Supply as one of the MWDBE participants for this project that resulted in a shortfall in our original participation goal. Stewart Builders, however, did not report North Houston Trucking with the original documentation on our MWDBE participants. Our total contract with North Houston Trucking, a DBE, was \$21,960 (an additional 1.5%).

Stewart Builders is aware that the MWDBE participation goal was not achieved. At the time the error in reporting was brought to our attention, we attempted to re-evaluate scopes for this project but all contracts had been finalized with the subcontractors, which resulted in a participation goal shortfall.

Sincerely,

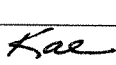

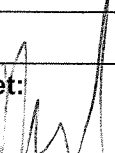
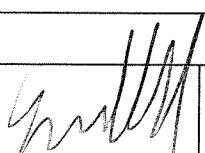

Mark A. Stewart
Vice President

Attachments

kla

TO: Mayor via City Secretary

REQUEST FOR COUNCIL ACTION

SUBJECT: Lease Amendment No. 1 – Trammell Crow Company IAH International Air Cargo Centre II, L.P. – George Bush Intercontinental Airport/Houston (IAH)		Category #	Page 1 of 2	Agenda Item # 507
FROM (Department or other point of origin): Houston Airport System		Origination Date June 23, 2006		Agenda Date JUL 26 2006 JUL 18 2006
DIRECTOR'S SIGNATURE: 		Council District affected: "B"		
For additional information contact: James D. Murff  Phone: 281/233-1820 Janet L. Schafer		Date and identification of prior authorizing Council action: 4/27/2005 – Ord. No. 2005-0437		
AMOUNT & SOURCE OF FUNDING: N/A		Prior appropriations: N/A		
RECOMMENDATION: (Summary) Enact an ordinance approving and authorizing Amendment No. 1 to Lease Agreement between the City of Houston and Trammell Crow Company IAH International Air Cargo Centre II, L.P., for certain premises at George Bush Intercontinental Airport/Houston (IAH).				
SPECIFIC EXPLANATION: Trammell Crow Company IAH International Air Cargo Centre II, L.P. ("Lessee") entered into a lease approved by City Council on April 27, 2005, for space at IAH to be used for perishable cargo operations. Lessee is requesting to enter into an amendment to increase its infrastructure improvement obligations in exchange for a reduction in rental payments during Lease Years 1-4. Additionally, the City needs for Lessee's intended building to be pushed back farther to the north, necessitating the addition of square footage to be added across an access road adjacent to the original leased premises for Lessee's parking area. The pertinent terms and conditions of the amendment are as follows: 1. Leased Premises: The primary tract is approximately 133,537 square feet and the auxiliary tract north of the access road is approximately 36,467 square feet. The North option tract is adjusted accordingly to be approximately 12.5986 acres. 2. Term: The expiration of the lease does not change.				
REQUIRED AUTHORIZATION				
F&A Budget: 		Other Authorization: 		Other Authorization:

Date June 23, 2006	Subject: Lease Amendment No. 1 – Trammell Crow Company IAH International Air Cargo Centre II, L.P. – George Bush Intercontinental Airport/Houston (IAH)	Originator's Initials	Page 2 of 2
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3. Rental: In exchange for Lessee undertaking \$200,000 of additional infrastructure improvement expenditures, it shall pay a reduced rental rate of \$11,640.45 per year (\$970.04 per month) in Lease Years 1-4 which commence after conclusion of the construction phase.

RMV:jls

Attachments

cc: Ms. Marty Stein
Mr. Anthony W. Hall, Jr.
Mr. Arturo Michel
Ms. Kathy Elek
Ms. Sara S. Culbreth
Mr. Richard Fernandez
Mr. Tom Bartlett
Mr. James D. Murff
Ms. Rachel Suarez

51

JUL 26 2006

MOTION NO. 2006 0642

MOTION by Council Member Lawrence that the following item be postponed to the next Council meeting July 26, 2006:

Item 24 - Ordinance approving and authorizing compromise and settlement agreement with Adventures in Birds & Pets, Inc. and Betty Jean Jordan to settle a lawsuit and appropriating \$65,000.00 out of Water & Sewer System Consolidated Construction Fund No. 755, which lawsuit arose out of activities financed by the Fund

Seconded by Council Member Garcia and carried.

Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Edwards, Wiseman, Khan, Garcia, Alvarado, Brown, Lovell, Sekula-Gibbs, Green and Berry voting aye
Nays none
Council Member Holm absent

PASSED AND ADOPTED this 12th day of July, 2006.

Pursuant to Article VI, Section 6 of the City Charter, the effective date of the foregoing motion is July 18, 2006.


City Secretary

SUBJECT: That Council approve an ordinance authorizing a Compromise and Settlement Agreement with Adventures in Birds & Pets, Inc. and Betty Jean Jordan to settle a lawsuit and appropriate the sum of \$65,000.00 out of the Water and Sewer System Consolidated Construction Fund 755, GFS S-0900-44-3 to fund the Agreement.		Category # 6	Page 1 of 1	Agenda Item # 24
FROM (Department or other point of origin): Legal Department		Origination Date 7-3-06	Agenda Date JUL 05 2006	
DIRECTOR'S SIGNATURE: Legal Department		Council District affected:	All JUL 12 2006 JUL 26 2006	
For additional information contact: Elizabeth Stevens Phone: 713.247.1518		Date and identification of prior authorizing Council action:		
RECOMMENDATION: (Summary) That Council approve an ordinance authorizing a Compromise and Settlement Agreement with Adventures in Birds & Pets, Inc. and Betty Jean Jordan to settle a lawsuit and appropriate the sum of \$65,000.00 out of the Water and Sewer System Consolidated Construction Fund 755, GFS S-0900-44-3 to fund the Agreement.				
Amount of Funding: \$65,000.00			F&A Budget:	
SOURCE OF FUNDING: <input type="checkbox"/> General Fund <input type="checkbox"/> Grant Fund <input type="checkbox"/> Enterprise Fund				
<input checked="" type="checkbox"/> Other (Specify) Water and Sewer System Consolidated Construction Fund 755, GFS S-0900-44-03				
SPECIFIC EXPLANATION: FOR SETTLEMENT PURPOSES ONLY Adventures in Birds & Pets, Inc. is a pet store located on the corner of Westview and Woodvine in Houston owned principally by Betty Jean Jordan ("Plaintiffs") that breeds and sells exotic birds, and bird supplies and offers bird grooming and boarding services. The City of Houston contracted with Oscar Renda Construction, to construct a 54 inch water main along Westview from Silber to Spring Branch Creek. Plaintiffs allege that during the period February 2001 through September 2001, the construction activities resulted in a denial of access to the pet store and injured specialty birds and the breeding program at the facility. Plaintiffs filed suit in Harris County Court at Law No. 4, Cause No. 801,238; <i>Adventures in Birds & Pets, Inc. and Betty Jean Jordan v. City of Houston</i> , alleging claims based on a constitutional taking of their property resulting from the denial of access to the property and damage to the birds, and alleged \$1,000,000.00 in damages. Plaintiffs have offered to settle their claims against Houston for \$65,000.00. After a thorough review of the claims, the Legal Department and the Public Works & Engineering Department recommend that Council: accept Plaintiffs' offer of settlement of the Dispute; and adopt an ordinance which approves and authorizes the execution of the Compromise and Settlement Agreement with a check made payable to Adventures in Birds & Pets, Inc., Betty Jean Jordan and Plaintiffs' attorney J. Marcus Hill, and which appropriates the sum of \$65,000.00 out of the Water and Sewer System Consolidated Construction Fund No. 755 to fund the Agreement. The Legal Department has prepared the documents necessary to settle the Dispute.				
REQUIRED AUTHORIZATION				
F&A Director:	Other Authorization:	Other Authorization: Michael Marcotte, Director of PW&E 6/22/06		